

- (a) Correct typographical errors;
- (b) Require more frequent monitoring or reporting by the permittee;
- (c) Change an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement; or

(d) Allow for a change in ownership or operational control of a facility where the Director determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittees has been submitted to the Director.

(e)(1) Change the construction schedule for a discharger which is a new source. No such change shall affect a discharger's obligation to have all pollution control equipment installed and in operation prior to discharge under § 122.29.

(2) Delete a point source outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits.

(f) [Reserved]

(g) Incorporate conditions of a POTW pretreatment program that has been approved in accordance with the procedures in 40 CFR 403.11 (or a modification thereto that has been approved in accordance with the procedures in 40 CFR 403.18) as enforceable conditions of the POTW's permits.

[48 FR 14153, Apr. 1, 1983, as amended at 49 FR 38051, Sept. 26, 1984; 51 FR 20431, June 4, 1986; 53 FR 40616, Oct. 17, 1988; 60 FR 33931, June 29, 1995]

§ 122.64 Termination of permits (applicable to State programs, see § 123.25).

(a) The following are causes for terminating a permit during its term, or for denying a permit renewal application:

(1) Noncompliance by the permittee with any condition of the permit;

(2) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant

facts, or the permittee's misrepresentation of any relevant facts at any time;

(3) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination; or

(4) A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit (for example, plant closure or termination of discharge by connection to a POTW).

(b) The Director shall follow the applicable procedures in part 124 or part 22 of this chapter, as appropriate (or State procedures equivalent to part 124) in terminating any NPDES permit under this section, except that if the entire discharge is permanently terminated by elimination of the flow or by connection to a POTW (but not by land application or disposal into a well), the Director may terminate the permit by notice to the permittee. Termination by notice shall be effective 30 days after notice is sent, unless the permittee objects within that time. If the permittee objects during that period, the Director shall follow part 124 of this chapter or applicable State procedures for termination. Expedited permit termination procedures are not available to permittees that are subject to pending State and/or Federal enforcement actions including citizen suits brought under State or Federal law. If requesting expedited permit termination procedures, a permittee must certify that it is not subject to any pending State or Federal enforcement actions including citizen suits brought under State or Federal law. State-authorized NPDES programs are not required to use part 22 of this chapter procedures for NPDES permit terminations.

[48 FR 14153, Apr. 1, 1983; 50 FR 6940, Feb. 19, 1985, as amended at 54 FR 18784, May 2, 1989; 65 FR 30909, May 15, 2000]

**APPENDIX A TO PART 122—NPDES
PRIMARY INDUSTRY CATEGORIES**

Any permit issued after June 30, 1981 to dischargers in the following categories shall include effluent limitations and a compliance schedule to meet the requirements of

Pt. 122, App. C

40 CFR Ch. I (7-1-04 Edition)

section 301(b)(2)(A), (C), (D), (E) and (F) of CWA, whether or not applicable effluent limitations guidelines have been promulgated. See §§ 122.44 and 122.46.

Industry Category

- Adhesives and sealants
- Aluminum forming
- Auto and other laundries
- Battery manufacturing
- Coal mining
- Coil coating
- Copper forming
- Electrical and electronic components
- Electroplating
- Explosives manufacturing
- Foundries
- Gum and wood chemicals
- Inorganic chemicals manufacturing
- Iron and steel manufacturing
- Leather tanning and finishing
- Mechanical products manufacturing
- Nonferrous metals manufacturing
- Ore mining
- Organic chemicals manufacturing
- Paint and ink formulation
- Pesticides
- Petroleum refining
- Pharmaceutical preparations
- Photographic equipment and supplies
- Plastics processing
- Plastic and synthetic materials manufacturing
- Porcelain enameling
- Printing and publishing
- Pulp and paper mills
- Rubber processing
- Soap and detergent manufacturing
- Steam electric power plants
- Textile mills
- Timber products processing

APPENDIX B TO PART 122 [RESERVED]

APPENDIX C TO PART 122—CRITERIA FOR DETERMINING A CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY (§ 122.24)

A hatchery, fish farm, or other facility is a concentrated aquatic animal production facility for purposes of § 122.24 if it contains, grows, or holds aquatic animals in either of the following categories:

(a) Cold water fish species or other cold water aquatic animals in ponds, raceways, or other similar structures which discharge at least 30 days per year but does not include:

(1) Facilities which produce less than 9,090 harvest weight kilograms (approximately 20,000 pounds) of aquatic animals per year; and

(2) Facilities which feed less than 2,272 kilograms (approximately 5,000 pounds) of food during the calendar month of maximum feeding.

(b) Warm water fish species or other warm water aquatic animals in ponds, raceways, or other similar structures which discharge at least 30 days per year, but does not include:

(1) Closed ponds which discharge only during periods of excess runoff; or

(2) Facilities which produce less than 45,454 harvest weight kilograms (approximately 100,000 pounds) of aquatic animals per year.

“Cold water aquatic animals” include, but are not limited to, the *Salmonidae* family of fish; e.g., trout and salmon.

“Warm water aquatic animals” include, but are not limited to, the *Ameiuride*, *Centrarchidae* and *Cyprinidae* families of fish; e.g., respectively, catfish, sunfish and minnows.

APPENDIX D TO PART 122—NPDES PERMIT APPLICATION TESTING REQUIREMENTS (§ 122.21)

TABLE I—TESTING REQUIREMENTS FOR ORGANIC TOXIC POLLUTANTS BY INDUSTRIAL CATEGORY FOR EXISTING DISCHARGERS

Industrial category	GC/MS Fraction ¹			
	Volatile	Acid	Base/neutral	Pesticide
Adhesives and Sealants	2	2	2	
Aluminum Forming	2	2	2	
Auto and Other Laundries	2	2	2	2
Battery Manufacturing	2	2	2	
Coal Mining	2	2	2	2
Coil Coating	2	2	2	
Copper Forming	2	2	2	
Electric and Electronic Components	2	2	2	2
Electroplating	2	2	2	
Explosives Manufacturing		2	2	
Foundries	2	2	2	
Gum and Wood Chemicals	2	2	2	2
Inorganic Chemicals Manufacturing	2	2	2	
Iron and Steel Manufacturing	2	2	2	
Leather Tanning and Finishing	2	2	2	2
Mechanical Products Manufacturing	2	2	2	
Nonferrous Metals Manufacturing	2	2	2	2
Ore Mining	2	2	2	2
Organic Chemicals Manufacturing	2	2	2	2
Paint and Ink Formulation	2	2	2	2
Pesticides	2	2	2	2
Petroleum Refining	2	2	2	2
Pharmaceutical Preparations	2	2	2	
Photographic Equipment and Supplies	2	2	2	2
Plastic and Synthetic Materials Manufacturing	2	2	2	2
Plastic Processing	2			

Environmental Protection Agency

Pt. 122, App. D

TABLE I—TESTING REQUIREMENTS FOR ORGANIC TOXIC POLLUTANTS BY INDUSTRIAL CATEGORY FOR EXISTING DISCHARGERS—Continued

Industrial category	GC/MS Fraction ¹			
	Volatile	Acid	Base/neutral	Pesticide
Porcelain Enameling	2		2	2
Printing and Publishing	2	2	2	2
Pulp and Paper Mills	2	2	2	2
Rubber Processing	2	2	2	
Soap and Detergent Manufacturing	2	2	2	
Steam Electric Power Plants	2	2	2	
Textile Mills	2	2	2	2
Timber Products Processing	2	2	2	2

¹The toxic pollutants in each fraction are listed in Table II.
²Testing required.

TABLE II—ORGANIC TOXIC POLLUTANTS IN EACH OF FOUR FRACTIONS IN ANALYSIS BY GAS CHROMATOGRAPHY/MASS SPECTROSCOPY (GS/MS)

- Volatiles*
- 1V acrolein
 - 2V acrylonitrile
 - 3V benzene
 - 5V bromoform
 - 6V carbon tetrachloride
 - 7V chlorobenzene
 - 8V chlorodibromomethane
 - 9V chloroethane
 - 10V 2-chloroethylvinyl ether
 - 11V chloroform
 - 12V dichlorobromomethane
 - 14V 1,1-dichloroethane
 - 15V 1,2-dichloroethane
 - 16V 1,1-dichloroethylene
 - 17V 1,2-dichloropropane
 - 18V 1,3-dichloropropylene
 - 19V ethylbenzene
 - 20V methyl bromide
 - 21V methyl chloride
 - 22V methylene chloride
 - 23V 1,1,2,2-tetrachloroethane
 - 24V tetrachloroethylene
 - 25V toluene
 - 26V 1,2-trans-dichloroethylene
 - 27V 1,1,1-trichloroethane
 - 28V 1,1,2-trichloroethane
 - 29V trichloroethylene
 - 31V vinyl chloride
- Acid Compounds*
- 1A 2-chlorophenol
 - 2A 2,4-dichlorophenol
 - 3A 2,4-dimethylphenol
 - 4A 4,6-dinitro-o-cresol
 - 5A 2,4-dinitrophenol
 - 6A 2-nitrophenol
 - 7A 4-nitrophenol
 - 8A p-chloro-m-cresol

- 9A pentachlorophenol
 - 10A phenol
 - 11A 2,4,6-trichlorophenol
- Base/Neutral*
- 1B acenaphthene
 - 2B acenaphthylene
 - 3B anthracene
 - 4B benzidine
 - 5B benzo(a)anthracene
 - 6B benzo(a)pyrene
 - 7B 3,4-benzofluoranthene
 - 8B benzo(ghi)perylene
 - 9B benzo(k)fluoranthene
 - 10B bis(2-chloroethoxy)methane
 - 11B bis(2-chloroethyl)ether
 - 12B bis(2-chloroisopropyl)ether
 - 13B bis(2-ethylhexyl)phthalate
 - 14B 4-bromophenyl phenyl ether
 - 15B butylbenzyl phthalate
 - 16B 2-chloronaphthalene
 - 17B 4-chlorophenyl phenyl ether
 - 18B chrysene
 - 19B dibenzo(a,h)anthracene
 - 20B 1,2-dichlorobenzene
 - 21B 1,3-dichlorobenzene
 - 22B 1,4-dichlorobenzene
 - 23B 3,3'-dichlorobenzidine
 - 24B diethyl phthalate
 - 25B dimethyl phthalate
 - 26B di-n-butyl phthalate
 - 27B 2,4-dinitrotoluene
 - 28B 2,6-dinitrotoluene
 - 29B di-n-octyl phthalate
 - 30B 1,2-diphenylhydrazine (as azobenzene)
 - 31B fluoranthene
 - 32B fluorene
 - 33B hexachlorobenzene
 - 34B hexachlorobutadiene
 - 35B hexachlorocyclopentadiene
 - 36B hexachloroethane
 - 37B indeno(1,2,3-cd)pyrene
 - 38B isophorone
 - 39B naphthalene
 - 40B nitrobenzene
 - 41B N-nitrosodimethylamine
 - 42B N-nitrosodi-n-propylamine
 - 43B N-nitrosodiphenylamine
 - 44B phenanthrene
 - 45B pyrene
 - 46B 1,2,4-trichlorobenzene
- Pesticides*
- 1P aldrin
 - 2P alpha-BHC
 - 3P beta-BHC
 - 4P gamma-BHC
 - 5P delta-BHC
 - 6P chlordane
 - 7P 4,4'-DDT
 - 8P 4,4'-DDE
 - 9P 4,4'-DDD
 - 10P dieldrin
 - 11P alpha-endosulfan
 - 12P beta-endosulfan
 - 13P endosulfan sulfate

14P	endrin	Allyl alcohol
15P	endrin aldehyde	Allyl chloride
16P	heptachlor	Amyl acetate
17P	heptachlor epoxide	Aniline
18P	PCB-1242	Benzonitrile
19P	PCB-1254	Benzyl chloride
20P	PCB-1221	Butyl acetate
21P	PCB-1232	Butylamine
22P	PCB-1248	Captan
23P	PCB-1260	Carbaryl
24P	PCB-1016	Carbofuran
25P	toxaphene	Carbon disulfide
TABLE III—OTHER TOXIC POLLUTANTS (METALS AND CYANIDE) AND TOTAL PHENOLS		
	Antimony, Total	Chlorpyrifos
	Arsenic, Total	Coumaphos
	Beryllium, Total	Cresol
	Cadmium, Total	Crotonaldehyde
	Chromium, Total	Cyclohexane
	Copper, Total	2,4-D (2,4-Dichlorophenoxy acetic acid)
	Lead, Total	Diazinon
	Mercury, Total	Dicamba
	Nickel, Total	Dichlobenil
	Selenium, Total	Dichlone
	Silver, Total	2,2-Dichloropropionic acid
	Thallium, Total	Dichlorvos
	Zinc, Total	Diethyl amine
	Cyanide, Total	Dimethyl amine
	Phenols, Total	Dintrobenzene
TABLE IV—CONVENTIONAL AND NONCONVENTIONAL POLLUTANTS REQUIRED TO BE TESTED BY EXISTING DISCHARGERS IF EXPECTED TO BE PRESENT		
	Bromide	Diquat
	Chlorine, Total Residual	Disulfoton
	Color	Diuron
	Fecal Coliform	Epichlorohydrin
	Fluoride	Ethion
	Nitrate-Nitrite	Ethylene diamine
	Nitrogen, Total Organic	Ethylene dibromide
	Oil and Grease	Formaldehyde
	Phosphorus, Total	Furfural
	Radioactivity	Guthion
	Sulfate	Isoprene
	Sulfide	Isopropanolamine Dodecylbenzenesulfonate
	Sulfite	Kelthane
	Surfactants	Kepone
	Aluminum, Total	Malathion
	Barium, Total	Mercaptodimethur
	Boron, Total	Methoxychlor
	Cobalt, Total	Methyl mercaptan
	Iron, Total	Methyl methacrylate
	Magnesium, Total	Methyl parathion
	Molybdenum, Total	Mevinphos
	Manganese, Total	Mexacarbate
	Tin, Total	Monoethyl amine
	Titanium, Total	Monomethyl amine
TABLE V—TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES REQUIRED TO BE IDENTIFIED BY EXISTING DISCHARGERS IF EXPECTED TO BE PRESENT		
	<i>Toxic Pollutants</i>	Naled
	Asbestos	Napthenic acid
	<i>Hazardous Substances</i>	Nitrotoluene
	Acetaldehyde	Parathion
		Phenolsulfanate
		Phosgene
		Propargite
		Propylene oxide
		Pyrethrins
		Quinoline
		Resorcinol
		Strontium
		Strychnine
		Styrene
		2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)
		TDE (Tetrachlorodiphenylethane)

Environmental Protection Agency

Pt. 122, App. D

2,4,5-TP [2-(2,4,5-Trichlorophenoxy) propanoic acid]
 Trichlorofan
 Triethanolamine dodecylbenzenesulfonate
 Triethylamine
 Trimethylamine
 Uranium
 Vanadium
 Vanadium
 Vinyl acetate
 Xylene
 Xylenol
 Zirconium

[Note 1: The Environmental Protection Agency has suspended the requirements of §122.21(g)(7)(ii)(A) and Table I of Appendix D as they apply to certain industrial categories. The suspensions are as follows:

a. At 46 FR 2046, Jan. 8, 1981, the Environmental Protection Agency suspended until further notice §122.21(g)(7)(ii)(A) as it applies to coal mines.

b. At 46 FR 22585, Apr. 20, 1981, the Environmental Protection Agency suspended until further notice §122.21(g)(7)(ii)(A) and the corresponding portions of Item V-C of the NPDES application Form 2c as they apply to:

1. Testing and reporting for all four organic fractions in the Greige Mills Subcategory of the Textile Mills industry (Subpart C—Low water use processing of 40 CFR part 410), and testing and reporting for the pesticide fraction in all other subcategories of this industrial category.

2. Testing and reporting for the volatile, base/neutral and pesticide fractions in the Base and Precious Metals Subcategory of the Ore Mining and Dressing industry (subpart B of 40 CFR part 440), and testing and reporting for all four fractions in all other subcategories of this industrial category.

3. Testing and reporting for all four GC/MS fractions in the Porcelain Enameling industry.

c. At 46 FR 35090, July 1, 1981, the Environmental Protection Agency suspended until further notice §122.21(g)(7)(ii)(A) and the corresponding portions of Item V-C of the NPDES application Form 2c as they apply to:

1. Testing and reporting for the pesticide fraction in the Tall Oil Rosin Subcategory (subpart D) and Rosin-Based Derivatives Subcategory (subpart F) of the Gum and Wood Chemicals industry (40 CFR part 454), and testing and reporting for the pesticide and base/neutral fractions in all other subcategories of this industrial category.

2. Testing and reporting for the pesticide fraction in the Leather Tanning and Finishing, Paint and Ink Formulation, and Photographic Supplies industrial categories.

3. Testing and reporting for the acid, base/neutral and pesticide fractions in the Petroleum Refining industrial category.

4. Testing and reporting for the pesticide fraction in the Papergrade Sulfite subcat-

egories (subparts J and U) of the Pulp and Paper industry (40 CFR part 430); testing and reporting for the base/neutral and pesticide fractions in the following subcategories: Deink (subpart Q), Dissolving Kraft (subpart F), and Paperboard from Waste Paper (subpart E); testing and reporting for the volatile, base/neutral and pesticide fractions in the following subcategories: BCT Bleached Kraft (subpart H), Semi-Chemical (subparts B and C), and Nonintegrated-Fine Papers (subpart R); and testing and reporting for the acid, base/neutral, and pesticide fractions in the following subcategories: Fine Bleached Kraft (subpart I), Dissolving Sulfite Pulp (subpart K), Groundwood-Fine Papers (subpart O), Market Bleached Kraft (subpart G), Tissue from Wastepaper (subpart T), and Nonintegrated-Tissue Papers (subpart S).

5. Testing and reporting for the base/neutral fraction in the Once-Through Cooling Water, Fly Ash and Bottom Ash Transport Water process wastestreams of the Steam Electric Power Plant industrial category.

[This revision continues these suspensions.]*

For the duration of the suspensions, therefore, Table I effectively reads:

TABLE I—TESTING REQUIREMENTS FOR ORGANIC TOXIC POLLUTANTS BY INDUSTRY CATEGORY

Industry category	GC/MS fraction ²			
	Volatile	Acid	Neutral	Pesticide
Adhesives and sealants	(1)	(1)	(1)	
Aluminum forming	(1)	(1)	(1)	
Auto and other laundries ...	(1)	(1)	(1)	(1)
Battery manufacturing	(1)		(1)	
Coal mining				
Coil coating	(1)	(1)	(1)	
Copper forming	(1)	(1)	(1)	
Electric and electronic compounds	(1)	(1)	(1)	(1)
Electroplating	(1)	(1)	(1)	
Explosives manufacturing		(1)	(1)	
Foundries	(1)	(1)	(1)	
Gum and wood (all subparts except D and F) ...	(1)	(1)		
Subpart D—tall oil rosin ...	(1)	(1)	(1)	
Subpart F—rosin-based derivatives	(1)	(1)	(1)	
Inorganic chemicals manufacturing	(1)	(1)	(1)	
Iron and steel manufacturing	(1)	(1)	(1)	
Leather tanning and finishing	(1)	(1)	(1)	
Mechanical products manufacturing	(1)	(1)	(1)	
Nonferrous metals manufacturing	(1)	(1)	(1)	(1)
Ore mining (applies to the base and precious metals/Subpart B)		(1)		

* Editorial Note: The words "This revision" refer to the document published at 48 FR 14153, Apr. 1, 1983.

TABLE I—TESTING REQUIREMENTS FOR ORGANIC TOXIC POLLUTANTS BY INDUSTRY CATEGORY—Continued

Industry category	GC/MS fraction ²			
	Volatile	Acid	Neutral	Pesticide
Organic chemicals manufacturing	(¹)	(¹)	(¹)	(¹)
Paint and ink formulation ..	(¹)	(¹)	(¹)	(¹)
Pesticides	(¹)	(¹)	(¹)	(¹)
Petroleum refining	(¹)			
Pharmaceutical preparations	(¹)	(¹)	(¹)	
Photographic equipment and supplies	(¹)	(¹)	(¹)	
Plastic and synthetic materials manufacturing	(¹)	(¹)	(¹)	(¹)
Plastic processing	(¹)			
Porcelain enameling				
Printing and publishing	(¹)	(¹)	(¹)	(¹)
Pulp and paperboard mills—see footnote ³				
Rubber processing	(¹)	(¹)	(¹)	
Soap and detergent manufacturing	(¹)	(¹)	(¹)	
Steam electric power plants	(¹)	(¹)		
Textile mills (Subpart C—Greige Mills are exempt from this table)	(¹)	(¹)	(¹)	
Timber products processing	(¹)	(¹)	(¹)	(¹)

¹ Testing required.

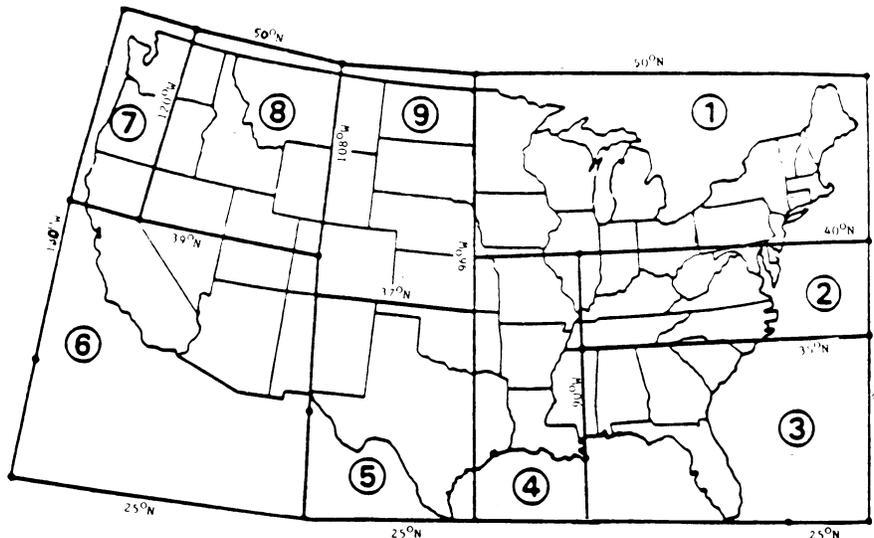
² The pollutants in each fraction are listed in Item V-C.
³ Pulp and Paperboard Mills:

Subpart ³	GS/MS fractions			
	VOA	Acid	Base/neutral	Pesticides
A	2	(¹)	2	(¹)
B	2	(¹)	2	2
C	2	(¹)	2	2
D	2	(¹)	2	2
E	(¹)	(¹)	2	(¹)
F	(¹)	(¹)	2	2
G	(¹)	(¹)	2	2
H	(¹)	(¹)	2	2
I	(¹)	(¹)	2	2
J	(¹)	(¹)	(¹)	2
K	(¹)	(¹)	2	2
L	(¹)	(¹)	2	2
M	(¹)	(¹)	2	2
N	(¹)	(¹)	2	2
O	(¹)	(¹)	2	2
P	(¹)	(¹)	2	2
Q	(¹)	(¹)	2	(¹)
R	2	(¹)	2	2
S	(¹)	(¹)	2	(¹)
T	(¹)	(¹)	2	(¹)
U	(¹)	(¹)	(¹)	2

¹ Must test.
² Do not test unless "reason to believe" it is discharged.
³ Subparts are defined in 40 CFR Part 430.

[48 FR 14153, Apr. 1, 1983, as amended at 49 FR 38050, Sept. 26, 1984; 50 FR 6940, Feb. 19, 1985]

APPENDIX E TO PART 122— RAINFALL ZONES OF THE UNITED STATES



Not Shown: Alaska (Zone 7); Hawaii (Zone 7); Northern Mariana Islands (Zone 7); Guam (Zone 7); American Samoa (Zone 7); Trust Territory of the Pacific Islands (Zone 7); Puerto Rico (Zone 3) Virgin Islands (Zone 3).

Environmental Protection Agency

Pt. 122, App. G

Source: Methodology for Analysis of Detention Basins for Control of Urban Runoff Quality, prepared for U.S. Environmental Protection Agency, Office of Water, Nonpoint Source Division, Washington, DC, 1986.

[55 FR 48073, Nov. 16, 1990]

APPENDIX F TO PART 122— INCORPORATED PLACES WITH POPULATIONS GREATER THAN 250,000 ACCORDING TO THE 1990 DECENNIAL CENSUS BY THE BUREAU OF THE CENSUS

State	Incorporated Place
Alabama	Birmingham.
Arizona	Phoenix. Tucson.
California	Long Beach. Los Angeles. Oakland. Sacramento. San Diego. San Francisco. San Jose.
Colorado	Denver.
District of Columbia..	
Florida	Jacksonville. Miami. Tampa.
Georgia	Atlanta.
Illinois	Chicago.
Indiana	Indianapolis.
Kansas	Wichita.
Kentucky	Louisville.
Louisiana	New Orleans.
Maryland	Baltimore.
Massachusetts	Boston.
Michigan	Detroit.
Minnesota	Minneapolis. St. Paul.
Missouri	Kansas City. St. Louis.
Nebraska	Omaha.
New Jersey	Newark.
New Mexico	Albuquerque.
New York	Buffalo. Bronx Borough. Brooklyn Borough. Manhattan Borough. Queens Borough. Staten Island Borough.
North Carolina	Charlotte.
Ohio	Cincinnati. Cleveland. Columbus. Toledo.
Oklahoma	Oklahoma City. Tulsa.
Oregon	Portland.
Pennsylvania	Philadelphia. Pittsburgh.
Tennessee	Memphis. Nashville/Davidson.
Texas	Austin. Dallas. El Paso. Fort Worth. Houston. San Antonio.
Virginia	Norfolk. Virginia Beach.
Washington	Seattle.
Wisconsin	Milwaukee.

[64 FR 68847, Dec. 8, 1999, as amended at 67 FR 47152, July 17, 2002]

APPENDIX G TO PART 122—INCORPORATED PLACES WITH POPULATIONS GREATER THAN 100,000 BUT LESS THAN 250,000 ACCORDING TO THE 1990 DECENNIAL CENSUS BY THE BUREAU OF THE CENSUS

State	Incorporated place
Alabama	Huntsville. Mobile. Montgomery.
Alaska	Anchorage.
Arizona	Mesa. Tempe.
Arkansas	Little Rock.
California	Anaheim. Bakersfield. Berkeley. Chula Vista. Concord. El Monte. Escondido. Fremont. Fresno. Fullerton. Garden Grove. Glendale. Hayward. Huntington Beach. Inglewood. Irvine. Modesto. Moreno Valley. Oceanside. Ontario. Orange.
Colorado	Aurora. Colorado Springs. Lakewood. Pueblo.
Connecticut	Bridgeport. Hartford. New Haven. Stamford. Waterbury.
Florida	Fort Lauderdale. Hialeah. Hollywood. Orlando. St. Petersburg. Tallahassee. Columbus. Macon. Savannah. Boise City.
Georgia	Peoria. Rockford. Evansville. Fort Wayne. Gary. South Bend. Cedar Rapids. Davenport.
Idaho	
Illinois	
Indiana	
Iowa	

Pt. 122, App. H

40 CFR Ch. I (7-1-04 Edition)

State	Incorporated place
Kansas	Des Moines. Kansas City. Topeka.
Kentucky	Lexington-Fayette.
Louisiana	Baton Rouge. Shreveport.
Massachusetts	Springfield. Worcester.
Michigan	Ann Arbor. Flint. Grand Rapids. Lansing. Livonia. Sterling Heights. Warren.
Mississippi	Jackson.
Missouri	Independence. Springfield.
Nebraska	Lincoln.
Nevada	Las Vegas. Reno.
New Jersey	Elizabeth. Jersey City. Paterson.
New York	Albany. Rochester. Syracuse. Yonkers.
North Carolina	Durham. Greensboro. Raleigh. Winston-Salem.
Ohio	Akron. Dayton. Youngstown.
Oregon	Eugene.
Pennsylvania	Allentown. Erie.
Rhode Island	Providence.
South Carolina	Columbia.
Tennessee	Chattanooga. Knoxville.
Texas	Abilene. Amarillo. Arlington. Beaumont. Corpus Christi. Garland. Irving. Laredo. Lubbock. Mesquite. Pasadena. Plano. Waco.
Utah	Salt Lake City.
Virginia	Alexandria. Chesapeake. Hampton. Newport News. Portsmouth. Richmond. Roanoke.
Washington	Spokane. Tacoma.
Wisconsin	Madison.

[64 FR 68848, Dec. 8, 1999]

APPENDIX H TO PART 122—COUNTIES WITH UNINCORPORATED URBANIZED AREAS WITH A POPULATION OF 250,000 OR MORE ACCORDING TO THE 1990 DECENNIAL CENSUS BY THE BUREAU OF THE CENSUS

State	County	Unincorporated urbanized population
California	Los Angeles	886,780
	Sacramento	594,889
	San Diego	250,414
Delaware	New Castle	296,996
	Dade	1,014,504
Florida	DeKalb	448,686
Georgia	Honolulu ¹	114,506
Hawaii	Anne Arundel	344,654
	Baltimore	627,593
Maryland	Montgomery	599,028
	Prince George's	494,369
	Harris	729,206
Texas	Salt Lake	270,989
Utah	Fairfax	760,730
Virginia	King	520,468
Washington		

¹County was previously listed in this appendix; however, population dropped to below 250,000 in the 1990 Census.

[64 FR 68848, Dec. 8, 1999]

APPENDIX I TO PART 122—COUNTIES WITH UNINCORPORATED URBANIZED AREAS GREATER THAN 100,000, BUT LESS THAN 250,000 ACCORDING TO THE 1990 DECENNIAL CENSUS BY THE BUREAU OF THE CENSUS

State	County	Unincorporated urbanized population	
Alabama	Jefferson	78,608	
	Pima	162,202	
Arizona	Alameda	115,082	
	Contra Costa	131,082	
California	Kern	128,503	
	Orange	223,081	
	Riverside	166,509	
	San Bernardino	162,202	
	Arapahoe	103,248	
	Colorado	Broward	142,329
		Escambia	167,463
	Florida	Hillsborough	398,593
		Lee	102,337
		Manatee	123,828
Orange		378,611	
Palm Beach		360,553	
Pasco		148,907	
Pinellas		255,772	
Polk		121,528	
Sarasota		172,600	
Seminole		127,873	
Georgia		Clayton	133,237
		Cobb	322,595
		Fulton	127,776
Kentucky		Gwinnett	237,305
	Richmond	126,476	
	Jefferson	239,430	
Louisiana	East Baton Rouge	102,539	
	Parish	331,307	

Environmental Protection Agency

Pt. 122, App. J

State	County	Unincorporated urbanized population
Maryland	Jefferson Parish	
North Carolina	Howard	157,972
Nevada	Cumberland	146,827
Oregon	Clark	327,618
	Multnomah ¹	52,923
	Washington	116,687
South Carolina	Greenville	147,464
	Richland	130,589
Virginia	Arlington	170,936
	Chesterfield	174,488
	Henrico	201,367
	Prince William	157,131
Washington	Pierce	258,530
	Snohomish	157,218

¹ County was previously listed in this appendix; however, population dropped to below 100,000 in the 1990 Census.

[64 FR 68849, Dec. 8, 1999]

APPENDIX J TO PART 122—NPDES PERMIT TESTING REQUIREMENTS FOR PUBLICLY OWNED TREATMENT WORKS (§122.21(J))

TABLE 1A—EFFLUENT PARAMETERS FOR ALL POTWS

- Biochemical oxygen demand (BOD-5 or CBOD-5)
- Fecal coliform
- Design Flow Rate
- pH
- Temperature
- Total suspended solids

TABLE 1—EFFLUENT PARAMETERS FOR ALL POTWS WITH A FLOW EQUAL TO OR GREATER THAN 0.1 MGD

- Ammonia (as N)
- Chlorine (total residual, TRC)
- Dissolved oxygen
- Nitrate/Nitrite
- Kjeldahl nitrogen
- Oil and grease
- Phosphorus
- Total dissolved solids

TABLE 2—EFFLUENT PARAMETERS FOR SELECTED POTWS

- Hardness
- Metals (total recoverable), cyanide and total phenols
- Antimony
- Arsenic
- Beryllium
- Cadmium
- Chromium
- Copper
- Lead
- Mercury
- Nickel
- Selenium
- Silver
- Thallium

- Zinc
- Cyanide
- Total phenolic compounds
- Volatile organic compounds
- Acrolein
- Acrylonitrile
- Benzene
- Bromoform
- Carbon tetrachloride
- Chlorobenzene
- Chlorodibromomethane
- Chloroethane
- 2-chloroethylvinyl ether
- Chloroform
- Dichlorobromomethane
- 1,1-dichloroethane
- 1,2-dichloroethane
- Trans-1,2-dichloroethylene
- 1,1-dichloroethylene
- 1,2-dichloropropane
- 1,3-dichloropropylene
- Ethylbenzene
- Methyl bromide
- Methyl chloride
- Methylene chloride
- 1,1,2,2-tetrachloroethane
- Tetrachloroethylene
- Toluene
- 1,1,1-trichloroethane
- 1,1,2-trichloroethane
- Trichloroethylene
- Vinyl chloride
- Acid-extractable compounds
- P-chloro-m-creso
- 2-chlorophenol
- 2,4-dichlorophenol
- 2,4-dimethylphenol
- 4,6-dinitro-o-cresol
- 2,4-dinitrophenol
- 2-nitrophenol
- 4-nitrophenol
- Pentachlorophenol
- Phenol
- 2,4,6-trichlorophenol
- Base-neutral compounds
- Acenaphthene
- Acenaphthylene
- Anthracene
- Benzidine
- Benzo(a)anthracene
- Benzo(a)pyrene
- 3,4 benzofluoranthene
- Benzo(ghi)perylene
- Benzo(k)fluoranthene
- Bis (2-chloroethoxy) methane
- Bis (2-chloroethyl) ether
- Bis (2-chloroisopropyl) ether
- Bis (2-ethylhexyl) phthalate
- 4-bromophenyl phenyl ether
- Butyl benzyl phthalate
- 2-chloronaphthalene
- 4-chlorophenyl phenyl ether
- Chrysene
- Di-n-butyl phthalate
- Di-n-octyl phthalate
- Dibenzo(a,h)anthracene
- 1,2-dichlorobenzene

Pt. 123

1,3-dichlorobenzene
1,4-dichlorobenzene
3,3-dichlorobenzidine
Diethyl phthalate
Dimethyl phthalate
2,4-dinitrotoluene
2,6-dinitrotoluene
1,2-diphenylhydrazine
Fluoranthene
Fluorene
Hexachlorobenzene
Hexachlorobutadiene
Hexachlorocyclopentadiene
Hexachloroethane
Indeno(1,2,3-cd)pyrene
Isophorone
Naphthalene
Nitrobenzene
N-nitrosodi-n-propylamine
N-nitrosodimethylamine
N-nitrosodiphenylamine
Phenanthrene
Pyrene
1,2,4,-trichlorobenzene
[65 FR 42469, Aug. 4, 2000]

PART 123—STATE PROGRAM REQUIREMENTS

Subpart A—General

Sec.
123.1 Purpose and scope.
123.2 Definitions.
123.3 Coordination with other programs.

Subpart B—State Program Submissions

123.21 Elements of a program submission.
123.22 Program description.
123.23 Attorney General's statement.
123.24 Memorandum of Agreement with the Regional Administrator.
123.25 Requirements for permitting.
123.26 Requirements for compliance evaluation programs.
123.27 Requirements for enforcement authority.
123.28 Control of disposal of pollutants into wells.
123.29 Prohibition.
123.30 Judicial review of approval or denial of permits.
123.31 Requirements for eligibility of Indian Tribes.
123.32 Request by an Indian Tribe for a determination of eligibility.
123.33 Procedures for processing an Indian Tribe's application.
123.34 Provisions for Tribal criminal enforcement authority.
123.35 As the NPDES Permitting Authority for regulated small MS4s, what is my role?

40 CFR Ch. I (7–1–04 Edition)

123.36 Establishment of technical standards for concentrated animal feeding operations.

Subpart C—Transfer of Information and Permit Review

123.41 Sharing of information.
123.42 Receipt and use of Federal information.
123.43 Transmission of information to EPA.
123.44 EPA review of and objections to State permits.
123.45 Noncompliance and program reporting by the Director.
123.46 Individual control strategies.

Subpart D—Program Approval, Revision, and Withdrawal

123.61 Approval process.
123.62 Procedures for revision of State programs.
123.63 Criteria for withdrawal of State programs.
123.64 Procedures for withdrawal of State programs.

AUTHORITY: Clean Water Act, 33 U.S.C. 1251 *et seq.*

SOURCE: 48 FR 14178, Apr. 1, 1983, unless otherwise noted.

Subpart A—General

§ 123.1 Purpose and scope.

(a) This part specifies the procedures EPA will follow in approving, revising, and withdrawing State programs and the requirements State programs must meet to be approved by the Administrator under sections 318, 402, and 405(a) (National Pollutant Discharge Elimination System—NPDES) of the CWA. This part also specifies the procedures EPA will follow in approving, revising, and withdrawing State programs under section 405(f) (sludge management programs) of the CWA. The requirements that a State sewage sludge management program must meet for approval by the Administrator under section 405(f) are set out at 40 CFR part 501.

(b) These regulations are promulgated under the authority of sections 304(i), 101(e), 405, and 518(e) of the CWA, and implement the requirements of those sections.

(c) The Administrator will approve State programs which conform to the applicable requirements of this part. A