

Environmental Protection Agency

§ 437.44

its desire to be subject to the Multiple Waste Subcategory by submitting to the NPDES permit writer an initial certification statement as described in § 437.41(a);

(3) The discharger will submit to its NPDES permitting authority a periodic certification statement as described in § 437.41(b) once a year; and

(4) The discharger will maintain at the office of the facility and make available for inspection the on-site compliance paperwork as described in § 437.41(c).

(b) *Combined waste receipts from subparts A, B and C of this part:* Limitations for BOD₅, O&G, pH, and TSS are the same as the corresponding limitation specified in § 437.42(b).

(c) *Combined waste receipts from subparts A and B of this part:* Limitations for O&G, pH, and TSS are the same as the corresponding limitation specified in § 437.42(c).

(d) *Combined waste receipts from subparts A and C of this part:* Limitations for BOD₅, O&G, pH, and TSS are the same as the corresponding limitation specified in § 437.42(d).

(e) *Combined waste receipts from subparts B and C of this part:* Limitations for BOD₅, O&G, pH, and TSS are the same as the corresponding limitation specified in § 437.42(e).

§ 437.44 Effluent limitations attainable by the application of the best available technology economically achievable (BAT).

(a) Except as provided in 40 CFR 125.30 through 125.32 or 437.40(b), any existing facility subject to this subpart which combines treated or untreated wastes from subparts A, B, or C of this part may be subject to Multiple Wastestream Subcategory effluent limitations representing the application of BAT set forth in paragraphs (b), (c), (d), or (e) of this section if the discharger agrees to the following conditions in its NPDES permit:

(1) The discharger will meet the applicable Multiple Wastestream Subcategory limitations set forth in paragraphs (b), (c), (d) or (e) of this section;

(2) The discharger will notify its NPDES permit writer at the time of renewal or modification of its permit, of its desire to be subject to the Multiple

Waste Subcategory by submitting to the NPDES permit writer an initial certification statement as described in § 437.41(a);

(3) The discharger will submit to its NPDES permitting authority a periodic certification statement as described in § 437.41(b) once a year; and

(4) The discharger will maintain at the office of the facility and make available for inspection the on-site compliance paperwork as described in § 437.41(c).

(b) *Combined waste receipts from subparts A, B and C of this part.* (1) Limitations for the following parameters are the same as the corresponding limitation specified in § 437.42(b)(1):

ORGANIC PARAMETERS

Acetone
Acetophenone
bis (2-ethylhexyl) phthalate
2-Butanone
Butylbenzyl phthalate
Carbazole
o-Cresol
p-Cresol
n-Decane
Fluoranthene
n-Octadecane
Phenol
Pyridine
2,4,6-trichlorophenol

METAL PARAMETERS

Antimony
Arsenic
Cadmium
Chromium
Cobalt
Copper
Lead
Mercury
Nickel
Silver
Tin
Titanium
Vanadium
Zinc

(2) The in-plant limitations that apply to metal-bearing wastewater containing cyanide are the same as the corresponding limitations specified in § 437.42(b)(2).

(c) *Combined waste receipts from subparts A and B of this part.* (1) Limitations for the following parameters are the same as the corresponding limitation specified in § 437.42(c)(1):

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ORGANIC PARAMETERS

Bis (2-ethylhexyl) phthalate
Butylbenzyl phthalate
Carbazole
n-Decane
Fluoranthene
n-Octadecane

METAL PARAMETERS

Antimony
Arsenic
Cadmium
Chromium
Cobalt
Copper
Lead
Mercury
Nickel
Silver
Tin
Titanium
Vanadium
Zinc

(2) The in-plant limitations that apply to metal-bearing wastewater containing cyanide are the same as the corresponding limitations specified in § 437.42(c)(2).

(d) *Combined waste receipts from subparts A and C of this part.* (1) Limitations for the following parameters are the same as the corresponding limitation specified in § 437.42(d)(1):

ORGANIC PARAMETERS

Acetone
Acetophenone
2-Butanone
o-Cresol
p-Cresol
Phenol
Pyridine
2,4,6-trichlorophenol

METAL PARAMETERS

Antimony
Arsenic
Cadmium
Chromium
Cobalt
Copper
Lead
Mercury
Nickel
Silver
Tin
Titanium
Vanadium
Zinc

(2) The in-plant limitations that apply to metal-bearing wastewater containing cyanide are the same as the

corresponding limitations specified in § 437.42(e)(2).

(e) *Combined waste receipts from subparts B and C of this part.* Limitations for the following parameters are the same as the corresponding limitation specified in § 437.42(e):

ORGANIC PARAMETERS

Acetone
Acetophenone
Bis(2-ethylhexyl) phthalate
2-Butanone
Butylbenzyl phthalate
Carbazole
o-Cresol
p-Cresol
n-Decane
Fluoranthene
n-Octadecane
Phenol
Pyridine
2,4,6-trichlorophenol

METAL PARAMETERS

Arsenic
Cadmium
Chromium
Cobalt
Copper
Lead
Mercury
Tin
Zinc

[65 FR 81300, Dec. 22, 2000, as amended at 68 FR 71024, 71025, Dec. 22, 2003]

§ 437.45 **New source performance standards (NSPS).**

(a) Except as provided in § 437.40(b), any new source subject to this subpart which combines treated or untreated wastes from subparts A, B, or C of this part may be subject to Multiple Wastestream Subcategory effluent limitations representing the application of NSPS set forth in paragraphs (b), (c), (d), or (e) of this section if the discharger agrees to the following conditions in its NPDES permit:

(1) The discharger will meet the applicable Multiple Wastestream Subcategory limitations set forth in paragraphs (b), (c), (d) or (e) of this section;

(2) The discharger will notify its NPDES permit writer at the time of submitting its application for permit, of its desire to be subject to the Multiple Waste Subcategory by submitting to the NPDES permit writer an initial certification statement as described in § 437.41(a);