

§ 407.70

40 CFR Ch. I (7-1-06 Edition)

control technology currently available (BPT).

[51 FR 24997, July 9, 1986]

Subpart G—Canned and Preserved Vegetables Subcategory

SOURCE: 41 FR 16281, Apr. 16, 1976, unless otherwise noted.

§ 407.70 Applicability; description of the canned and preserved vegetables subcategory.

The provisions of this subpart are applicable to discharges resulting from the processing of the following vegetable products: Beets; broccoli; carrots; canned and frozen corn; dehydrated onions and garlic; dehydrated vegetables; dry beans; lima beans; mushrooms; canned onions; peas; sauerkraut canning and cutting; snap beans; spinach; squash; and canned potatoes. When a plant is subject to effluent limitations covering more than one commodity or subcategory, the plant discharge limitations shall be set by proration of limitations for each subcategory or commodity based on the total production covered by each commodity or subcategory.

§ 407.71 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR part 401 shall apply to this subpart.

(b) The term *beets* shall include the processing of beets into the following product styles: Canned and peeled, whole, sliced, diced, French style, sections, irregular, and other cuts but not dehydrated beets.

(c) The term *broccoli* shall include the processing of broccoli into the following product styles: Frozen, chopped, spears, and miscellaneous cuts.

(d) The term *carrots* shall include the processing of carrots into the following product styles: Canned and frozen, peeled, whole, sliced, diced, nuggets, crinkle cut, julienne, shoestrings, chunks, chips and other irregular cuts, and juices but not dehydrated carrots.

(e) The term *corn*, *canned* shall mean the processing of corn into the fol-

lowing product styles: Canned, yellow and white, whole kernel, cream style, and on-the-cob.

(f) The term *corn*, *frozen* shall mean the processing of corn into the following product styles: Frozen, yellow and white, whole kernel and whole cob.

(g) The term *dehydrated onions and garlic* shall mean the processing of dehydrated onions and garlic into the following product styles: Air, vacuum, and freeze dried, all varieties, diced, strips, and other piece sizes ranging from large sliced to powder but not including green onions, chives, or leeks.

(h) The term *dehydrated vegetables* shall mean the processing of dehydrated vegetables in the following product styles: Air, vacuum and freeze dried, blanched and unblanched, peeled and unpeeled, beets, bell peppers, cabbage, carrots, celery, chili pepper, horseradish, turnips, parsnips, parsley, asparagus, tomatoes, green beans, corn, spinach, green onion tops, chives, leeks, whole, diced, and any other piece size ranging from sliced to powder.

(i) The term *dry beans* shall mean the production of canned pinto, kidney, navy, great northern, red, pink or related type, with and without formulated sauces, meats and gravies.

(j) The term *lima beans* shall mean the processing of lima beans into the following product styles: Canned and frozen, green and white, all varieties and sizes.

(k) The term *mushrooms* shall mean the processing of mushrooms into the following product styles: Canned, frozen, dehydrated, all varieties, shapes and sizes.

(l) The term *canned onions* shall mean the processing of onions into the following product styles: Canned, frozen, and fried (canned), peeled, whole, sliced, and any other piece size but not including frozen, battered onion rings or dehydrated onions.

(m) The term *peas* shall mean the processing of peas into the following product styles: Canned and frozen, all varieties and sizes, whole.

(n) The term *squash* shall include the processing of pumpkin and squash into canned and frozen styles.

(o) The term *sauerkraut cutting* shall mean the trimming, cutting, and subsequent preparatory handling of cabbage necessary for and including brining and fermentation, and subsequent tank soaking.

(p) The term *sauerkraut canning* shall mean the draining and subsequent filling and canning of fermented cabbage and juice.

(q) The term *snap beans* shall mean the processing of snap beans into the following product styles: Canned and frozen green, Italian, wax, string, bush, and other related varieties, whole, French, fancy, Extra Standard, Standard, and other cuts.

(r) The term *spinach* shall mean the processing of spinach and leafy greens into the following product styles: Canned or frozen, whole leaf, chopped, and other related cuts.

(s) The term *potatoes* shall mean the processing of sweet potatoes into the following product styles: Canned, peeled, solid, syrup, and vacuum packed. The following white potato product styles are also included: Canned, peeled, white, all varieties, whole and sliced.

(t) The term *medium* shall mean a point source that processes a total annual raw material production of fruits, vegetables, specialties and other products that is between 1,816 kkg (2,000 tons) per year and 9,080 kkg (10,000 tons) per year.

(u) The term *large* shall mean a point source that processes a total annual raw material production of fruits, vegetables, specialties and other products that exceeds 9,080 kkg (10,000 tons) per year.

(v) The term *annual average* shall mean the maximum allowable discharge of BOD₅ or TSS as calculated by multiplying the total mass (kkg or 1000 lb) of each raw commodity processed for the entire processing season or calendar year by the applicable annual average limitation.

(w) The terms *maximum for any one day* and *average of daily values for thirty consecutive days* shall be based on the daily average mass of raw material processed during the peak thirty consecutive day production period.

§ 407.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Except as provided in §§ 125.30 through 125.32, any existing point source subject to this subpart shall achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT):

(a) The following limitations establish the quantity of BOD₅ controlled by this section, which may be discharged by a “medium” or “large” existing point source subject to the provisions of this subpart after application of the best practicable control technology currently available. Any vegetable processing plant which continuously or intermittently discharges process waste water during the processing season shall meet the annual average, maximum thirty day average, and maximum day BOD₅ limitations. Vegetable processing plants employing long term waste stabilization, where all or a portion of the process waste water discharge is stored for the entire processing season and released at a controlled rate with State approval, shall meet only the annual average BOD₅ limitations. The effluent limitations do not apply to single-commodity 100 percent canned corn processing plants of all sizes, and multi-commodity 100 percent frozen vegetable processing plants with total annual raw material production less than 7,264 kkg (8,000 tons) per year.

[Metric units, kg/kkg of raw material; English units, lb/1,000 lb of raw material]

Commodity (vegetables)	BOD ₅ effluent limitations		
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—	Annual average shall not exceed—
Beets	1.01	0.71	0.57
Broccoli	3.83	2.21	1.47
Carrots	1.76	1.11	0.82
Corn:			
Canned	0.71	0.48	0.38
Frozen	1.45	0.84	0.56
Dehydrated onion/garlic	2.45	1.46	0.98
Dehydrated vegetables	2.98	1.76	1.21
Dry beans	2.50	1.51	1.07