

area must be accompanied by an equivalent or greater reduction in the quantity of pollutants released to other media from the production area (e.g., air emissions from housing and storage) and/or land application areas for all manure, litter, and process wastewater at on-site and off-site locations. The comparison of quantity of pollutants must be made on a mass basis where appropriate. The Director has the discretion to request supporting information to supplement such a request.

(e) Any source subject to this subpart that commenced discharging after April 14, 1993, and prior to April 14, 2003, which was a new source subject to the standards specified in §412.15, revised as of July 1, 2002, must continue to achieve those standards for the applicable time period specified in 40 CFR 122.29(d)(1). Thereafter, the source must achieve the standards specified in §412.43(a) and (b).

§412.47 Additional measures.

(a) Each CAFO subject to this subpart must implement the requirements of §412.37(a).

(b) Each CAFO subject to this subpart must comply with the record-keeping requirements of §412.37(b).

(c) Each CAFO subject to this subpart must comply with the record-keeping requirements of §412.37(c).

PART 413—ELECTROPLATING POINT SOURCE CATEGORY

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AUTHORITY: Secs. 301, 304(g), 307, 308, 309, 402, 405, 501(a), Clean Water Act, as amended, (33 U.S.C. 1311, 1314(g), 1317, 1318, 1319, 1322, 1325 and 1341(a)).

§ 413.01

SOURCE: 46 FR 9467, Jan. 28, 1981, unless otherwise noted.

GENERAL PROVISIONS

§ 413.01 Applicability and compliance dates.

(a) This part shall apply to electroplating operations in which metal is electroplated on any basis material and to related metal finishing operations as set forth in the various subparts, whether such operations are conducted in conjunction with electroplating, independently, or as part of some other operation. The compliance deadline for metals and cyanide at integrated facilities shall be June 30, 1984. The compliance date for metals and cyanide at non-integrated facilities shall be April 27, 1984. Compliance with TTO for all facilities shall be July 15, 1986. These part 413 standards shall not apply to a facility which must comply with all the pollutant limitations listed in § 433.15 (metal finishing PSES).

(b) Operations similar to electroplating which are specifically excepted from coverage of this part include:

(1) Electrowinning and electrorefining conducted as a part of nonferrous metal smelting and refining (40 CFR part 421);

(2) Metal surface preparation and conversion coating conducted as a part of coil coating (40 CFR part 465);

(3) Metal surface preparation and immersion plating or electroless plating conducted as a part of porcelain enameling (40 CFR part 466); and

(4) Electrodeposition of active electrode materials, electroimpregnation, and electroforming conducted as a part of battery manufacturing (40 CFR part 461).

(c) Metallic platemaking and gravure cylinder preparation conducted within or for printing and publishing facilities, and continuous strip electroplating conducted within iron and steel manufacturing facilities which introduce pollutants into a publicly owned treatment works are exempted from

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the pretreatment standards for existing sources set forth in this part.

(Secs. 301, 304, 306, 307, 308, and 501 of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1251 *et. seq.*, as amended by the Clean Water Act of 1977, Pub. L. 95-217))

[46 FR 9467, Jan. 28, 1981, as amended at 48 FR 32482, July 15, 1983; 48 FR 41410, Sept. 15, 1983; 51 FR 40421, Nov. 7, 1986]

§ 413.02 General definitions.

In addition to the definitions set forth in 40 CFR part 401 and the chemical analysis methods set forth in 40 CFR part 136, both of which are incorporated herein by reference, the following definitions apply to this part:

(a) The term *CN,A* shall mean cyanide amenable to chlorination as defined by 40 CFR 136.

(b) The term *CN,T* shall mean cyanide, total.

(c) The term *Cr,VI* shall mean hexavalent chromium.

(d) The term *electroplating process wastewater* shall mean process wastewater generated in operations which are subject to regulation under any of subparts A through H of this part.

(e) The term *total metal* is defined as the sum of the concentration or mass of Copper (Cu), Nickel (Ni), Chromium (Cr) (total) and Zinc (Zn).

(f) The term *strong chelating agents* is defined as all compounds which, by virtue of their chemical structure and amount present, form soluble metal complexes which are not removed by subsequent metals control techniques such as pH adjustment followed by clarification or filtration.

(g) The term *control authority* is defined as the POTW if it has an approved pretreatment program; in the absence of such a program, the NPDES State if it has an approved pretreatment program or EPA if the State does not have an approved program.

(h) The term *integrated facility* is defined as a facility that performs electroplating as only one of several operations necessary for manufacture of a product at a single physical location and has significant quantities of process wastewater from non-electroplating manufacturing operations. In addition, to qualify as an "integrated facility"