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the appropriate SMCRA authority has been released.

Except as provided in 40 CFR 125.30–125.32, 40 CFR 401.17 and §§ 434.61 and 434.63(d)(2) of this part, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this subsection after application of the best practicable control technology currently available:

BPT EFFLUENT LIMITATIONS

| Pollutant or pollutant property | Limitations |
|---------------------------------|--------------------------------------|
| Settleable Solids | 0.5 ml/l maximum not to be exceeded. |
| pH | (¹) |

¹ Within the range 6.0 to 9.0 at all times.

(b) *Underground mine drainage.* The limitations in this subsection apply to discharges from the underground workings of underground mines until SMCRA bond release.

(1) Except as provided in 40 CFR 125.30–125.32, 40 CFR 401.17 and §§ 434.61, 434.62 and 434.63 of this part, the following limitations establish the concentration or quality of pollutants in acid or ferruginous mine drainage subject to the provisions of this subsection after application of the best practicable control technology currently available:

BPT EFFLUENT LIMITATIONS

| Pollutant or pollutant property | Maximum for any 1 day | Average of daily values for 30 consecutive days |
|---------------------------------|-----------------------|---|
| | | |
| Iron, total | 7.0 | 3.5 |
| Manganese, total | 4.0 | 2.0 |
| TSS | 70.0 | 35.0 |
| pH | (¹) | (¹) |

¹ Within the range 6.0 to 9.0 at all times.

(2) Except as provided in 40 CFR 125.30–125.32, 40 CFR 401.17, and §§ 434.61 and 434.63 of this part, the following limitations establish the concentration or quality of pollutants in alkaline mine drainage subject to the provisions of this subsection after application of the best practicable control technology currently available:

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BPT EFFLUENT LIMITATIONS

| Pollutant or pollutant property | Maximum for any 1 day | Average of daily values for 30 consecutive days |
|---------------------------------|-----------------------|---|
| | | |
| Iron, total | 7.0 | 3.5 |
| TSS | 70.0 | 35.0 |
| pH | (¹) | (¹) |

¹ Within the range 6.0 to 9.0 at all times.

§ 434.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by application of the best available technology economically achievable (BAT).

(a) *Reclamation areas.* The limitations of this subsection apply to discharges from reclamation areas until SMCRA bond release.

Except as provided in 40 CFR 125.30–125.32, and §§ 434.61 and 434.63(d)(2) of this part, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this subsection after application of the best available technology economically achievable:

BAT EFFLUENT LIMITATIONS

| Pollutant or pollutant property | Limitations |
|---------------------------------|--------------------------------------|
| Settleable solids | 0.5 ml/l maximum not to be exceeded. |

(b) *Underground mine drainage.* The limitations in this subsection apply to discharges from the underground workings of underground mines until SMCRA bond release.

(1) Except as provided in 40 CFR 125.30–125.32, and §§ 434.61, 434.62, and 434.63 of this part, the following limitations establish the concentration or quality of pollutants in acid or ferruginous mine drainage subject to the provisions of this subsection after application of the best available technology economically achievable:

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BAT EFFLUENT LIMITATIONS

| Pollutant or pollutant property | Maximum for any 1 day | Average of daily values for 30 consecutive days |
|---------------------------------|-----------------------|---|
| | | |
| Iron, total | 7.0 | 3.5 |
| Manganese, total | 4.0 | 2.0 |

(2) Except as provided in 40 CFR 125.30-125.32, and §§ 434.61, and 434.63 of this part, the following limitations establish the concentration or quality of pollutants in alkaline mine drainage subject to the provisions of this subsection after application of the best available technology economically achievable:

BAT EFFLUENT LIMITATIONS

| Pollutant or pollutant property | Maximum for any 1 day | Average of daily values for 30 consecutive days |
|---------------------------------|-----------------------|---|
| | | |
| Iron, total | 7.0 | 3.5 |

§ 434.54 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT). [Reserved]

§ 434.55 New source performance standards (NSPS).

The following new source performance standards shall apply to the post-mining areas of all new source coal mines:

(a) *Reclamation areas.* The standards of this subsection apply to discharges from reclamation areas at new source coal mines until SMCRA bond release. Except as provided in 40 CFR 401.17 and §§ 434.61 and 434.63 (d)(2) of this part, the following new source performance standards shall be achieved for a discharge subject to the provisions of this subsection:

NSPS EFFLUENT LIMITATIONS

| Pollutant or pollutant property | Limitations |
|---------------------------------|--------------------------------------|
| Settleable Solids | 0.5 ml/1 maximum not to be exceeded. |
| pH | (¹) |

(¹) Within the range 6.0 to 9.0 at all times.

(b) *Underground mine drainage.* The standards in this subsection apply to discharges from the underground workings of new source underground mines until bond release.

(1) Except as provided in 40 CFR 401.17 and §§ 434.61, 434.62, and 434.63 of this part, the following new source performance standards shall be achieved for the discharge of any acid or ferruginous mine drainage subject to this subsection:

NSPS EFFLUENT LIMITATIONS

| Pollutant or pollutant property | Maximum for any 1 day | Average of daily values for 30 consecutive days |
|---------------------------------|-----------------------|---|
| | | |
| Iron, total | 6.0 | 3.0 |
| Manganese, total | 4.0 | 2.0 |
| TSS | 70.0 | 35.0 |
| pH | (¹) | (¹) |

¹ Within the range 6.0 to 9.0 at all times.

(2) Except as provided in 40 CFR 401.17 and §§ 434.61 and 434.63 of this part, the following new source performance standards shall be achieved for the discharge of any alkaline mine drainage subject to this subsection:

NSPS EFFLUENT LIMITATIONS

| Pollutant or pollutant property | Maximum for any 1 day | Average of daily values for 30 consecutive days |
|---------------------------------|-----------------------|---|
| | | |
| Iron, total | 6.0 | 3.0 |
| TSS | 70.0 | 35.0 |
| pH | (¹) | (¹) |

¹ Within the range 6.0 to 9.0 at all times.

Subpart F—Miscellaneous Provisions

§ 434.60 Applicability.

The provisions of this subpart F apply to this part 434 as specified in subparts B, C, D, E and G of this part.

[67 FR 3406, Jan. 23, 2002]

§ 434.61 Commingling of waste streams.

Where waste streams from any facility covered by this part are combined for treatment or discharge with waste streams from another facility covered