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blowdown, and air pollution control wastewaters from heat recovery equipment); treated or untreated wastewaters from groundwater remediation systems; dewatering water for building foundations; and other wastewater streams not associated with a production process.

(s) The term *nitrification* means oxidation of ammonium salts to nitrites (via Nitrosomas bacteria) and the further oxidation of nitrite to nitrate via Nitrobacter bacteria. Nitrification can be accomplished in either:

(1) A single or two-stage activated sludge wastewater treatment system; or

(2) Wetlands specifically developed with a marsh/pond configuration and maintained for the express purpose of removing ammonia-N.

Indicators of nitrification capability are:

(1) Biological monitoring for ammonia oxidizing bacteria (AOB) and nitrite oxidizing bacteria (NOB) to determine if the nitrification is occurring; and

(2) Analysis of the nitrogen balance to determine if nitrifying bacteria reduce the amount of ammonia and increase the amount of nitrite and nitrate.

(t) The term *storm water from the immediate process area* means storm water that comes into contact with process equipment located outdoors, storm water collected in process area and bulk storage tank secondary containment structures, and storm water from wastewater treatment systems located outdoors, provided that it has the potential to become contaminated with process wastewater pollutants for the particular subcategory. Storm water from building roofs, plant roadways, and other storm waters that do not have the potential to become contaminated with process wastewater pollutants are not storm water from the immediate process area.

(u) The term *2,3,7,8-TCDF* means 2,3,7,8-tetrachlorodibenzofuran.

[47 FR 23284, May 27, 1982, as amended at 67 FR 64260, Oct. 17, 2002]

§ 420.03 Alternative effluent limitations representing the degree of effluent reduction attainable by the application of best practicable control technology currently available, best available technology economically achievable, best available demonstrated control technology, and best conventional pollutant control technology (the “water bubble”).

(a) Except as provided in paragraphs (c) through (f) of this section, any existing or new direct discharging point source subject to this part may qualify for alternative effluent limitations to those specified in subparts A through M of this part, representing the degree of effluent reduction attainable by the application of best practicable control technology currently available (BPT), best available technology economically achievable (BAT), best conventional pollutant control technology (BCT), and best available demonstrated control technology (NSPS). The alternative effluent limitations for each pollutant are determined for a combination of outfalls by totaling the mass limitations allowed under subparts A through M of this part for each pollutant.

(b) The water bubble may be used to calculate alternative effluent limitations only for identical pollutants (e.g., lead for lead, not lead for zinc).

(c) [Reserved]

(d) A discharger cannot qualify for alternative effluent limitations if the application of such alternative effluent limitations would cause or contribute to an exceedance of any applicable water quality standards.

(e) Each outfall from which process wastewaters are discharged must have specific, fixed effluent limitations for each pollutant limited by the applicable subparts A through M of this part.

(f) *Subcategory-specific restrictions:*(1) There shall be no alternate effluent limitations for cokemaking process wastewater unless the alternative limitations are more stringent than the limitations in Subpart A of this part.

(2) There shall be no alternate effluent limitations for 2,3,7,8-TCDF in sintering process wastewater.

(3) There shall be no alternate effluent limitations for O&G in sintering

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process wastewater unless the alternative limitations are more stringent than the otherwise applicable limitations in subpart B of this part.

[67 FR 64261, Oct. 17, 2002, as amended at 70 FR 73623, Dec. 13, 2005]

§ 420.04 Calculation of pretreatment standards.

(a) Pretreatment standards shall be calculated for each operation using the applicable average rate of production reported by the owner or operator of the facility to the Control Authority in accordance with 40 CFR 403.12(b)(3).

(b) The average rate of production reported by the owner or operator in accordance with 40 CFR 403.12(b)(3) shall be based not upon the design production capacity but rather upon a reasonable measure of actual production of the facility, such as the production during the high month of the previous year, or the monthly average for the highest of the previous 5 years. For new sources or new dischargers, actual production shall be estimated using projected production.

(c) If, due to a change of circumstances, the average rate of production for an operation reported by the owner or operator of the facility to the Control Authority in accordance with 40 CFR 403.12(b)(3) does not represent a reasonable measure of actual production of that operation, the owner or operator must submit to the Control Authority a modified average rate of production.

[49 FR 21029, May 17, 1984; 49 FR 24726, June 15, 1984; 49 FR 25634, June 22, 1984]

§ 420.05 Pretreatment standards compliance date.

The final compliance date for the categorical pretreatment standards set forth in 40 CFR part 420 is July 10, 1985.

[48 FR 46943, Oct. 14, 1983]

§ 420.06 Removal credits for phenols (4AAP).

Removal allowances pursuant to 40 CFR 403.7(a)(1) may be granted for phenols (4AAP) limited in 40 CFR part 420 when used as an indicator or surrogate pollutant.

[49 FR 21029, May 17, 1984]

§ 420.07 Effluent limitations guidelines and standards for pH.

(a) The pH level in process wastewaters subject to a subpart within this part shall be within the range of 6.0 to 9.0.

(b) The pH level shall be monitored at the point of discharge to the receiving water or at the point at which the wastewater leaves the wastewater treatment facility operated to treat effluent subject to that subpart.

[67 FR 64261, Oct. 17, 2002]

§ 420.08 Non-process wastewater and storm water.

Permit and pretreatment control authorities may provide for increased loadings for non-process wastewaters defined at § 420.02 and for storm water from the immediate process area in NPDES permits and pretreatment control mechanisms using best professional judgment, but only to the extent such non-process wastewaters result in an increased flow.

[67 FR 64261, Oct. 17, 2002]

Subpart A—Cokemaking Subcategory

§ 420.10 Applicability.

The provisions of this subpart are applicable to discharges and the introduction of pollutants into publicly owned treatment works resulting from by-product and other cokemaking operations.

[67 FR 64261, Oct. 17, 2002]

§ 420.11 Specialized definitions.

(a) For the cokemaking subcategory, the term *product* means the production of coke plus coke breeze.

(b) The term *by-product cokemaking* means operations in which coal is heated in the absence of air to produce metallurgical coke (furnace coke and foundry coke), and the recovery of by-products derived from the gases and liquids that are driven from the coal during cokemaking.

(c) The term *cokemaking—non-recovery* means cokemaking operations for production of metallurgical coke (furnace coke and foundry coke) without