

## § 421.1

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AUTHORITY: Secs. 301, 304 (b), (c), (e), and (g), 306 (b) and (c), 307 (b) and (c), 308 and 501

of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972, as amended by the Clean Water Act of 1977) and the Water Quality Act of 1987 (the "Act"); 33 U.S.C. 1311, 1314 (b), (c), (e), and (g), 1316 (b) and (c), 1317 (b) and (c), 1318 and 1361; 86 Stat. 816, Pub. L. 92-500; 91 Stat. 1567, Pub. L. 95-217; 101 Stat. 7, Pub. L. 100-4.

SOURCE: 49 FR 8790, Mar. 8, 1984, unless otherwise noted.

### GENERAL PROVISIONS

#### § 421.1 Applicability.

This part applies to facilities producing primary metals from ore concentrates and recovering secondary metals from recycle wastes which discharge or may discharge pollutants to waters of the United States or which introduce or may introduce pollutants into a publicly owned treatment works. The applicability of this part to alloying or casting of nonferrous metals is limited to alloying or casting of hot metal directly from the nonferrous metals manufacturing process without cooling. Remelting followed by alloying or cooling is included in the aluminum forming, nonferrous metals forming, or metal molding and casting point source categories.

#### § 421.2 [Reserved]

#### § 421.3 Monitoring and reporting requirements.

The following special monitoring requirements apply to all facilities controlled by this regulation:

(a) The *monthly average* regulatory values shall be the basis for the monthly average discharge in direct discharge permits and for pretreatment standards. Compliance with the monthly discharge limit is required regardless of the number of samples analyzed and averaged.

(b) Periodic analysis for cyanide are not required for a facility in the primary beryllium subcategory (subpart O of this part) when both of the following conditions are met:

(1) The first wastewater sample taken in each calendar year has been analyzed and found to contain less than 0.07 mg/l cyanide.

(2) The owner or operator of the primary beryllium manufacturing facility

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certifies in writing to the POTW authority or permit issuing authority that cyanide is neither generated nor used in the beryllium manufacturing process employed at that facility.

[49 FR 8790, Mar. 8, 1984, as amended at 55 FR 31697, Aug. 3, 1990]

### § 421.4 Compliance date for pretreatment standards for existing sources (PSES).

The PSES compliance deadline in subparts A through M is March 8, 1987. The PSES compliance deadline for plants in subparts N through AE is September 20, 1988.

[50 FR 52776, Dec. 26, 1985]

### § 421.5 Removal allowances for pretreatment standards.

Removal allowances pursuant to 40 CFR 403.7(a) may be granted for the toxic metals limited in 40 CFR part 421 when used as indicator pollutants.

## Subpart A—Bauxite Refining Subcategory

### § 421.10 Applicability; description of the bauxite refining subcategory.

The provisions of this subpart are applicable to discharges resulting from the refining of bauxite to alumina by the Bayer process or by the combination process.

[39 FR 12825, Apr. 8, 1974]

### § 421.11 Specialized definitions.

For the purpose of this subpart:

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

(b) The term *bauxite* shall mean ore containing alumina monohydrate or alumina trihydrate which serves as the principal raw material for the production of alumina by the Bayer process or by the combination process.

(c) The term *product* shall mean alumina.

(d) For all impoundments the term *within the impoundment* for purposes of calculating the volume of process wastewater which may be discharged, shall mean the surface area within the impoundment at the maximum capac-

ity plus the area of the inside and outside slopes of the impoundment dam and the surface area between the outside edge of the impoundment dam and seepage ditches upon which rain falls and is returned to the impoundment. For the purpose of such calculations, the surface area allowance for external appurtenances to the impoundment shall not be more than 30 percent of the water surface area within the impoundment dam at maximum capacity.

(e) The term *pond water surface area* for the purpose of calculating the volume of waste water shall mean the area within the impoundment for rainfall and the actual water surface area for evaporation.

[39 FR 12825, Apr. 8, 1974, as amended at 40 FR 48348, Oct. 15, 1975]

### § 421.12 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 40 CFR 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:

(a) Subject to the provisions of paragraph (b) of this section, the following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants to navigable waters.

(b) During any calendar month there may be discharged from the overflow of a process waste water impoundment either a volume of process waste water equal to the difference between the precipitation for that month that falls within the impoundment and the evaporation within the impoundment for that month, or, if greater, a volume of process waste water equal to the difference between the mean precipitation for that month that falls within the impoundment and the mean evaporation for that month as established by