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PART III

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## **ENVIRONMENTAL PROTECTION AGENCY**

■

**PLASTICS AND  
SYNTHETICS  
MANUFACTURING  
POINT SOURCE  
CATEGORY**

## Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL  
PROTECTION AGENCYSUBCHAPTER N—EFFLUENT GUIDELINES  
AND STANDARDS

[FRL 324-5]

PART 416—PLASTICS AND SYNTHETICS  
POINT SOURCE CATEGORY

On September 20, 1974, notice was published in the FEDERAL REGISTER (39 FR 33889), that the Environmental Protection Agency (EPA or Agency) was proposing effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the ethylene vinyl acetate copolymers subcategory, the fluorocarbons subcategory, the polypropylene fiber subcategory, the alkyds and unsaturated polyester resins subcategory, the cellulose nitrate subcategory, the polyamides (Nylon 6/12) subcategory, the polyester resins (thermoplastic) subcategory, the silicones subcategory, the epoxy resins subcategory, the phenolic resins subcategory, and the urea and melamine resins subcategory of the plastics and synthetics category of point sources.

The purpose of this notice is to establish final effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources in the plastics and synthetics category of point sources by amending 40 CFR Chapter I, Subchapter N, Part 416 by adding thereto the ethylene vinyl acetate copolymers subcategory (Subpart N), the polytetrafluoroethylene subcategory (Subpart O), the polypropylene fiber subcategory (Subpart P), the alkyds and unsaturated polyester resins subcategory (Subpart Q), the cellulose nitrate subcategory (Subpart R), the polyamides (Nylon 6/12) subcategory (Subpart S), the polyester resins (thermoplastic) subcategory (Subpart T), and the silicones subcategory (Subpart U). This final rulemaking is promulgated pursuant to sections 301, 304 (b) and (c), 306 (b) and (c) and 307(c) of the Federal Water Pollution Control Act, as amended, (the Act); (33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c) and 1317(c)); 86 Stat. 816 et seq.; Pub. L. 92-500. A regulation regarding cooling water intake structures for all categories of point sources under section 316(b) of the Act will be promulgated in 40 CFR 402.

In addition, the EPA is simultaneously proposing a separate provision which appears in the proposed rules section of the FEDERAL REGISTER, stating the application of the limitations and standards set forth below to users of publicly owned treatment works which are subject to pretreatment standards under section 307(b) of the Act. The basis of that proposed regulation is set forth in the associated notice of proposed rulemaking.

The legal basis, methodology and factual conclusions which support promulgation of this regulation were set forth in substantial detail in the notice of public review procedures published August 6,

1973 (38 FR 21202) and in the notice of proposed rulemaking for the ethylene vinyl acetate copolymers subcategory, the fluorocarbons subcategory, the polypropylene fiber subcategory, the alkyds and unsaturated polyester resins subcategory, the cellulose nitrate subcategory, the polyamides (Nylon 6/12) subcategory, the polyester resins (thermoplastic) subcategory, the silicones subcategory, the epoxy resins subcategory, the phenolic resins subcategory, and the urea and melamine resins subcategory. In addition, the regulation as proposed was supported by two other documents: (1) The Document entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Synthetic Polymers Segment of the Plastics and Synthetics Manufacturing Point Source Category" (September, 1974) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines, The Plastics and Synthetics Industry, Phase II" (September, 1974). These documents were made available to the public and circulated to interested persons shortly after the time of publication of the notice of proposed rulemaking.

Interested persons were invited to participate in the rulemaking by submitting written comments within 30 days from the date of publication. Prior public participation in the form of solicited comments and responses from the States, Federal agencies, and other interested parties were described in the preamble to the proposed regulation. The EPA has considered carefully all of the comments received and a discussion of these comments with the Agency's response thereto follows.

(a) *Summary of comments.* The following responded to the request for written comments contained in the preamble to the proposed regulation: Rohm and Haas Company, Manufacturing Chemists Association, Exxon Chemical Company, Union Carbide Corporation, Shell Oil Company, Stauffer Chemical Company, U.S. Department of Interior, U.S. Department of Commerce, Arco/Polymers Incorporated, State of New York Department of Environmental Conservation, Allied Chemical Corporation, Dow Corning Corporation, Monsanto Polymers and Petrochemicals Company, U.S. Industrial Chemicals Company, Dow Chemical Company, and the Effluent Standards and Water Quality Information Advisory Committee.

Each of the comments received was carefully reviewed and analyzed. The following is a summary of the significant comments and the Agency's response to them.

(1) Several commenters requested that the comment period be extended 30 days due to the delay of the Development Document after the proposed regulations appeared in the FEDERAL REGISTER.

Each commenter who requested an extension was sent a letter from the General Counsel's office explaining the EPA

position on this matter. The Agency could not formally extend the public comment period in view of the court order requiring promulgation of final regulations. However, the commenters were informed that while the formal comment period had ended, the Agency would continue to accept comments and additional information and would make sincere efforts to give such comments and information the most attention and consideration possible. It is the policy of the Agency to encourage maximum public participation in its rulemaking and to this end opportunity is afforded to comment on the contractor's report and again on the proposed regulations. In addition, information received at any time is utilized to the maximum extent possible.

(2) Several commenters stated that the title of the proposed rules and the reference to "effluent limitations and guidelines" in the preamble implies authority beyond that stipulated in section 304(b) of Pub. L. 92-500. The commenters recommended that the title correctly refer to "effluent guidelines and standards" and that the promulgated rules not imply or assume authority other than that specified in the Act.

These regulations constitute effluent limitations pursuant to section 301 of the Act, as well as guidelines under section 304. They are, therefore, correctly referred to as effluent limitations and guidelines.

(3) Several commenters stated that the EPA "variance procedure", such as that set forth in §416.152 (39 FR 33898), is not a workable and satisfactory mechanism.

This comment is a general one concerning the best practicable control technology currently available "variance procedure" and is applicable to all industries. The "variance procedure" is currently under public comment and judicial review (39 FR 28927), and will be answered in due course.

(4) Some commenters stated that the preamble indicates that the 10 mg/l basis for best available technology economically achievable (BATEA) TSS levels is derived from other industries and is, therefore, not applicable to the plastics industry. The commenter recommended that the BATEA limitation be based upon operating data on effluents from the industry subcategories affected.

For BATEA and for new source performance standards (NSPS) EPA set its limitations and standards based upon an effluent TSS concentration of 10 mg/l. This concentration is achievable by use of filtration techniques—including mixed media filtration. Mixed media filtration is a pollution control technique which is well established and is currently used with considerable success in a number of treatment works—including municipal systems and waste treatment systems used in the petroleum industry. The wastes from biochemical treatment systems consists mostly of microbial cells regardless of the original source of the raw wastes. Microbial cells have similar

solids removal characteristics. While it has not been demonstrated in the plastics and synthetics industry, the success shown in other uses convinces the Agency that mixed media filtration is fully adaptable to this industry and will achieve the effluent concentration required.

(5) Several commenters recommended that COD be deleted from proposed best practicable control technology currently available (BPCTCA) and NSPS rulemakings. The commenters stated that comment 16 of the preamble to the proposed regulations implies that no independent COD limit is intended.

The COD limitations were included in the proposed regulation because COD is a measure of the chemical byproduct waste of the manufacturing process and falls under the definition of pollutant contained in the Act [section 502(6)]. All of the 1977 COD limitations were non-controlling as to technology. That is, the COD limitations were such that adequate removal of BOD5 will usually result in adequate removal of COD. The numbers were derived from data showing the removal of COD which accompanies reduction of BOD5 to the levels set in the effluent limitations for each subcategory. A plant which is achieving the BOD5 removal required by the regulations need not use any additional technology to meet the proposed COD levels for BPCTCA. The presence of COD limitation nonetheless fulfills an important function by requiring adequate handling and treatment of discarded (bad) batches of reactants and products, so as to avoid shock or peak COD loadings which would be inadequately treated but would not be discovered by a BOD5 analysis. Also, the COD test is a much quicker and more convenient test for the presence of oxygen demanding pollutants than is the BOD5 test. However, since the BPCTCA (1977) COD limits are liberal and would be easily attainable if the BOD5 limits are met, they are being dropped as a limitation parameter for BPCTCA (1977). In order to promote the collection of data on the oxygen demanding parameters of BOD5, COD and TOC (total organic carbon), the Agency is planning to require that a majority of the plants in each subcategory monitor their raw waste loads and treated effluents for BOD5, COD and TOC. This data will be collected for a reasonable period at which time the Agency will consider revising the limitations and standards. The requirement for a COD limit for NSPS will remain unchanged where the standards were based on demonstrated (or rationally transferable) attainable COD concentrations using NSPS technology. The NSPS COD limits for any subcategory that was based on an estimated COD/BOD5 ratio will be dropped from the regulation. (See revision 5)

(6) Several commenters stated that the proposed effluent limitations guidelines being proposed for ethylene-vinyl acetate (EVA) copolymer are significantly more rigid than those already promulgated for polyethylene homopolymer. The commenters suggested that

EPA establish effluent limitations guidelines for the copolymer no more rigid than that promulgated for low density polyethylene. The commenters stated that the raw waste would be higher for copolymer rather than lower as suggested in the proposed regulations. Other comments on EVA were made in support of the commenters' suggestion.

The EVA comments were reviewed with respect to the EPA data base and the guidelines have been revised. (see revision 1).

(7) One commenter stated that provisions should be made in the regulations for alternate test procedures that will allow the Regional Administrator flexibility in setting parameter limits on individual point sources.

If a plant can show a direct relationship over a long period of time between BOD5, and COD, TOC or TOD, the parameter measurement of the COD, TOC, or TOD could be substituted for BOD5 if the COD, TOC, or TOD limitations are set such that the BOD5 limitation is not exceeded. This in no way negates the requirement of meeting an independent COD limitation where required.

(8) A commenter stated that a calendar month basis for the time period for compliance would be more reasonable than "thirty consecutive days."

The thirty consecutive days is a flexible requirement allowing the permit writer to set permit conditions that may run on a calendar month basis or, for example, from the 15th of one month to the 15th of the next.

(9) A commenter suggested that the 1983 guidelines should include the variance procedure appearing in 1977 guidelines.

The 1983 guidelines are subject to continuing review as required by the law. The need for a variance procedure for 1983 guidelines has not been demonstrated or established at this time. Also, see section 301(c) of the Act.

(10) A commenter stated that sales should not be a criteria for determining if a plant is meeting daily effluent limitations for the silicones subcategory.

Sales are not the criteria for determining a particular plant's limitations. Actual production is the basis for the limitations on the permit. Sales data were used only as part of the data base for determining effluent limitations guidelines and standards for the silicones industry.

(11) Several commenters stated that guidelines should be issued in the form of a range, not single numbers.

The plastics manufacturing industry has been categorized and subcategorized in such a manner as to take differences within the industry into account.

In total, four broad process oriented subcategories have been established for the plastics industry in which over twenty-four known product-process segments have been classified. Thirteen of the more significant of these segments were covered by the Phase I effluent limitations guidelines with twenty-seven different sets of values. Phase II covers

eleven additional segments with fourteen different sets of limitations guidelines.

In establishing the various segments and sub-segments mentioned above and the associated effluent limitations guidelines, factors such as process, raw waste load, size, location, and age of plant were considered.

In addition, an individual may, in the case of the 1977 requirements, submit proper evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) requesting that the requirements be adjusted on the basis that factors related to such discharger are fundamentally different from those given consideration in the regulations and would adversely affect the ability of the particular facility to meet the established effluent limitations.

(12) Several commenters stated that allowances should be made for sources of wastes other than process effluent, e.g., housekeeping, stormwater runoff, once-through cooling water and spills.

In the case of all subcategories except EVA, the effluent limitations guidelines and standards represent process related wastes only such as direct contact process waste water, reaction waste water, housekeeping, spills, etc. It does not include once-through cooling water, cooling tower blowdown, and storm water runoff wastes. If stormwater is required to be collected and treated by state and local agencies, then allowances should be made for stormwater by such agency. The EVA subcategory includes cooling tower blowdown wastes.

(13) One commenter has suggested that EPA postpone promulgation of pretreatment standards for new sources until pretreatment standards for existing sources are published.

Section 307(c) of the Act requires the Agency to promulgate pretreatment standards for new sources at the same time that it promulgates new source performance standards under section 306. Therefore, EPA lacks authority to postpone promulgation of the new source pretreatment standards.

(14) A commenter stated that by incineration of materials containing silicone, silicon dioxide (SiO<sub>2</sub>) is produced. Because the quantity of SiO<sub>2</sub> produced will vary with the quantity of silicone containing material incinerated, it is recommended the daily maximum allowance for total suspended solids (TSS) be 2.5 times the proposed 30 day average values.

The EPA data base supports the TSS limitations and includes variability factors of 2.2 for monthly and 4.0 for daily limits based on a long term attainable TSS wasteload. The daily maximum is not a function or multiple of the 30 day average maximum values. Both values are based on a multiple of a long term attainable TSS wasteload. (DD pp. 225-227).

(15) A commenter stated that the regulations for manufacturers of silicones should include limitations for oil and grease.

The EPA data base does not support a limitation on oil and grease for the silicones industry at this time.

(16) A commenter stated that the definition of the term fluorocarbons should be more precise. The commenter said that it is not clear what exactly is included in the subcategory. The commenter's suggested change in Subpart O is to "Fluoropolymers Subcategory."

A detailed review of the information available on the fluorocarbons subcategory indicated that the commenter was correct regarding the definition of fluorocarbons and as to the clarity of the application of the guidelines. Changes have been made to correct this. (see revision 2).

(17) Commenters stated that guidelines for silicone manufacturers must reflect the major processes at individual plants. The commenters stated that silicone plants have been subcategorized into "multi-product" plants and "fluid products" plants. One commenter stated that their plant had been subcategorized wrongly as a fluid products plant and presented data to support the fact that the plant is a multi-product plant.

These comments were considered and changes were made to the effluent limitations guidelines and standards as supported by the data base. (see revision 3).

(18) Questions have been raised concerning the availability of standards or guidelines applicable to the disposal of solid wastes resulting from the operation of pollution control systems.

The principles set forth in "Land Disposal of Solid Wastes Guidelines" (40 CFR Part 241) may be used as guidance for acceptable land disposal techniques. Potentially hazardous wastes may require special considerations to ensure their proper disposal. Additionally, state and local guidelines and regulations should be considered wherever applicable.

(b) *Revision of the proposed regulations prior to promulgation.* As a result of public comments and continuing review and evaluation of the proposed regulation by the EPA, the following changes have been made in the regulation.

(1) The ethylene vinyl acetate (EVA) copolymer subcategory effluent limitations and guidelines were changed to be consistent with the low density polyethylene (LDPE) effluent limitation and guidelines of subpart E of §§ 416.52(a), 416.53(a), and 416.54. These changes were based on additional review of the industry data base and the fact that EVA copolymers are manufactured in the same equipment as LDPE and in most cases make up only a small percentage of the plant's total production of LDPE and EVA.

(2) The fluorocarbons subcategory was changed to the polytetrafluoroethylene subcategory and the description of applicability for this subcategory was changed in order to provide additional clarity as to the applicability of the subpart.

(3) The subdivisions in the silicones subcategory were changed from fluid products and multi-products to one sil-

icones subcategory with wasteload allocations for different products or product mixes. This change was made based on new data supplied by a company that had been classified as a fluid products plant. The new data reclassified the company as a multi-product plant and changed the data basis for the original fluid and multi-product subdivision. The waste allocations for the different product mixes is the best description of the industry based on the current data base.

(4) Economic impact review has not been completed for the phenolic resins subcategory, epoxy resins subcategory, and melamine and urea resins subcategory. These three subcategories will be promulgated at a later date.

(5) The requirement for a COD limit for BPCTCA (1977) has been removed from the regulation. The COD standard for new sources for the polytetrafluoroethylene and polyamide (nylon 6/12) subcategories has been removed from the regulation. (See comment 5.)

(c) *Economic impact.* The changes that were made to the proposed regulations for the plastics and synthetics manufacturing category do not substantially affect the economic analysis. The changes detailed above result in the effluent limitations and standards being less stringent. These revisions would tend to make the costs slightly less for those affected subcategories. However, these changes would not affect the conclusions of the economic impact study.

(d) *Cost-benefit analysis.* The detrimental effects of the constituents of waste waters now discharged by point sources within the synthetic polymers segment of the plastics and synthetics manufacturing point source category are discussed in Section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the Synthetic Polymers Manufacturing Segment of the Plastics and Synthetics Point Source Category" (December, 1974). It is not feasible to quantify in economic terms, particularly on a national basis, the costs resulting from the discharge of these pollutants to our Nation's waterways. Nevertheless, as indicated in Section VI, the pollutants discharged have substantial and damaging impacts on the quality of water and therefore on its capacity to support healthy populations of wildlife, fish and other aquatic wildlife and on its suitability for industrial, recreational and drinking water supply uses.

The total cost of implementing the effluent limitations includes the direct capital and operating costs of the pollution control technology employed to achieve compliance and the indirect economic and environmental costs identified in Section VIII and in the supplementary report entitled "Economic Analysis of Proposed Effluent Guidelines Plastics and Synthetics Industry, Phase II" (September 1974). Implementing the limitations will substantially reduce the environmental harm which would otherwise be attributable to the continued discharge of polluted waste waters from existing and newly constructed plants in

the plastics and synthetics industry. The Agency believes that the benefits of thus reducing the pollutants discharged justify the associated costs which, though substantial in absolute terms, represent a relatively small percentage of the total capital investment in the industry.

(e) *Publication of information on processes, procedures, or operating methods which result in the elimination or reduction of the discharge of pollutants.* In conformance with the requirements of Section 304(c) of the Act, a manual entitled, "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Synthetic Polymers Manufacturing Segment of the Plastics and Synthetics Point Source Category," will be published and will be available for purchase from the Government Printing Office, Washington, D.C. 20402 for a nominal fee.

Copies of the final economic analysis document will be available from the National Technical Information Service, Springfield, VA 22151.

(f) *Final rulemaking.* In consideration of the foregoing, 40 CFR Chapter I, Subchapter N, Part 416, Plastics and Synthetics Manufacturing Point Source Category, is hereby amended by adding additional subparts N, O, P, Q, R, S, T and U to read as set forth below. This regulation is being promulgated pursuant to an order of the Federal District Court for the District of Columbia entered in Natural Resources Defense Council, Inc. v. Train (Cv. No. 1609-73). That order requires that effluent limitations requiring the application of best practicable control technology currently available for this industry be effective upon publication. Accordingly, good cause is found for the final regulation promulgated below establishing best practicable control technology currently available for each subpart to be effective on January 23, 1975.

The final regulation promulgated below establishing the best available technology economically achievable, the standards of performance for new sources and the new source pretreatment standards shall become effective February 24, 1975.

Date: January 9, 1975.

RUSSELL E. TRAIN,  
Administrator.

Subpart N—Ethylene-Vinyl Acetate Copolymers  
Subcategory

Sec.	
416.140	Applicability; description of the ethylene-vinyl acetate copolymers subcategory.
416.141	Specialized definitions.
416.142	Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.143	Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.144	[Reserved]

- Sec.  
416.145 Standards of performance for new sources.  
416.146 Pretreatment standards for new sources.

**Subpart O—Polytetrafluoroethylene Subcategory**

- 416.150 Applicability; description of the polytetrafluoroethylene subcategory.  
416.151 Specialized definitions.  
416.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.  
416.153 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.  
416.154 [Reserved]  
416.155 Standards of performance for new sources.  
416.156 Pretreatment standards for new sources.

**Subpart P—Polypropylene Fiber Subcategory**

- 416.160 Applicability; description of the polypropylene fiber subcategory.  
416.161 Specialized definitions.  
416.162 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.  
416.163 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.  
416.164 [Reserved]  
416.165 Standards of performance for new sources.  
416.166 Pretreatment standards for new sources.

**Subpart Q—Alkyds and Unsaturated Polyester Resins Subcategory**

- 416.170 Applicability; description of the alkyds and unsaturated polyester resins subcategory.  
416.171 Specialized definitions.  
416.172 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.  
416.173 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.  
416.174 [Reserved]  
416.175 Standards of performance for new sources.  
416.176 Pretreatment standards for new sources.

**Subpart R—Cellulose Nitrate Subcategory**

- 416.180 Applicability; description of the cellulose nitrate subcategory.  
416.181 Specialized definitions.  
416.182 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

- Sec.  
416.183 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.  
416.184 [Reserved]  
416.185 Standards of performance for new sources.  
416.186 Pretreatment standards for new sources.

**Subpart S—Polyamide (Nylon 6/12) Subcategory**

- 416.190 Applicability; description of the polyamide (nylon 6/12) subcategory.  
416.191 Specialized definitions.  
416.192 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.  
416.193 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.  
416.194 [Reserved]  
416.195 Standards of performance for new sources.  
416.196 Pretreatment standards for new sources.

**Subpart T—Polyester Resins (Thermoplastic) Subcategory**

- 416.200 Applicability; description of the polyester resins (thermoplastic) subcategory.  
416.201 Specialized definitions.  
416.202 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.  
416.203 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.  
416.204 [Reserved]  
416.205 Standards of performance for new sources.  
416.206 Pretreatment standards for new sources.

**Subpart U—Silicones Subcategory**

- 416.210 Applicability; description of the silicones subcategory.  
416.211 Specialized definitions.  
416.212 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.  
416.213 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.  
416.214 [Reserved]  
416.215 Standards of performance for new sources.  
416.216 Pretreatment standards for new sources.

**Subpart N—Ethylene-Vinyl Acetate Copolymers Subcategory**

- § 416.140 Applicability; description of the ethylene-vinyl acetate copolymers subcategory.

The provisions of this subpart are applicable to discharges resulting from the reaction of vinyl acetate and ethylene and associated processing to manufacture ethylene vinyl acetate copolymers.

- § 416.141 Specialized definitions.

For the purpose of this subpart:

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

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

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations specify other limitations, or initiate proceedings to revise these regulations.

**RULES AND REGULATIONS**

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, 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:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.39.....	.20
TSS.....	1.0.....	.55
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.39.....	.20
TSS.....	1.0.....	.55
pH.....	Within the range 6.0 to 9.0.	

**§ 416.143 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable;

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.29.....	.19
COD.....	2.48.....	1.65
TSS.....	.16.....	.14
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.29.....	.19
COD.....	2.48.....	1.65
TSS.....	.16.....	.14
pH.....	Within the range 6.0 to 9.0.	

**§ 416.144 [Reserved]**

**§ 416.145 Standards of performance for new sources.**

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.35.....	.18
COD.....	3.5.....	1.8
TSS.....	.19.....	.13
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.35.....	.18
COD.....	3.5.....	1.8
TSS.....	.19.....	.13
pH.....	Within the range 6.0 to 9.0.	

**§ 416.146 Pretreatment standards for new sources.**

The pretreatment standards under section 307(c) of the Act for a source within the ethylene vinyl acetate copolymers subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.145: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

**Subpart O—Polytetrafluoroethylene Subcategory**

**§ 416.150 Applicability; description of the polytetrafluoroethylene subcategory.**

The provisions of this subpart are applicable to discharges resulting from the manufacture of granular and fine powder grades of polytetrafluoroethylene, including manufacture of monomer from precursor chlorodifluoromethane, and associated processing.

**§ 416.151 Specialized definitions.**

For the purpose of this subpart: Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

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

In establishing the limitations set forth in this section, EPA took into account

all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, 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:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	7.0.....	3.6
TSS.....	18.....	9.9
Fluorides.....	1.2.....	.6
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	7.0.....	3.6
TSS.....	18.....	9.9
Fluorides.....	1.2.....	.6
pH.....	Within the range 6.0 to 9.0.	

**§ 416.153 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	3.3.....	2.2
COD.....	5.9.....	4.0
TSS.....	1.8.....	1.6
Fluorides.....	1.2.....	.6
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	3.3.....	2.2
COD.....	5.9.....	4.0
TSS.....	1.8.....	1.6
Fluorides.....	1.2.....	.6
pH.....	Within the range 6.0 to 9.0.....	

**§ 416.154 [Reserved]**

**§ 416.155 Standards of performance for new sources.**

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	1.6.....	.80
TSS.....	.83.....	.57
Fluorides.....	1.2.....	.6
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	1.6.....	.80
TSS.....	.83.....	.57
Fluorides.....	1.3.....	.67
pH.....	Within the range 6.0 to 9.0.....	

**§ 416.156 Pretreatment standards for new sources.**

The pretreatment standards under section 307(c) of the Act for a source within the polytetrafluoroethylene subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section

306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128-133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.155; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

**Subpart P—Polypropylene Fiber Subcategory**

**§ 416.160 Applicability; description of the polypropylene fiber subcategory.**

The provisions of this subpart are applicable to discharges resulting from the manufacture of polypropylene fibers from polypropylene and associated processing.

**§ 416.161 Specialized definitions.**

For the purpose of this subpart: Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

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

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger

effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, 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:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.78.....	.40
TSS.....	2.0.....	1.1
O&G.....	1.0.....	.5
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.78.....	.40
TSS.....	2.0.....	1.1
O&G.....	1.0.....	.5
pH.....	Within the range 6.0 to 9.0.....	

**§ 416.163 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.33.....	.22
COD.....	.59.....	.40
TSS.....	.18.....	.16
O&G.....	.18.....	.092
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.33.....	.22
COD.....	.59.....	.40
TSS.....	.18.....	.16
O&G.....	.18.....	.092
pH.....	Within the range 6.0 to 9.0.....	

§ 416.164 [Reserved]

§ 416.165 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.08.....	.04
COD.....	.14.....	.07
TSS.....	.04.....	.03
O&G.....	.033.....	.017
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.08.....	.04
COD.....	.14.....	.07
TSS.....	.04.....	.03
O&G.....	.033.....	.017
pH.....	Within the range 6.0 to 9.0.	

§ 416.166 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polypropylene fiber subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.165; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

**Subpart Q—Alkyds and Unsaturated Polyester Resins Subcategory**

§ 416.170 Applicability; description of the alkyds and unsaturated polyester resins subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of alkyds and unsaturated polyester resins and associated processing.

§ 416.171 Specialized definitions.

For the purpose of this subpart:

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

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

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry sub-categorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharge effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, 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:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.60.....	.33
TSS.....	.40.....	.22
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.60.....	.33
TSS.....	.40.....	.22
pH.....	Within the range 6.0 to 9.0.	

§ 416.173 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.14.....	.10
COD.....	.74.....	.52
TSS.....	.04.....	.03
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.14.....	.10
COD.....	.74.....	.52
TSS.....	.04.....	.03
pH.....	Within the range 6.0 to 9.0.	

§ 416.174 [Reserved]

§ 416.175 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent Characteristic	Effluent Limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.03.....	.02
COD.....	.20.....	.11
TSS.....	.008.....	.006
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.03.....	.02
COD.....	.20.....	.11
TSS.....	.008.....	.006
pH.....	Within the range 6.0 to 9.0.	

§ 416.176 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the alkyds and unsaturated polyester resins subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the



purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.175; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

**Subpart R—Cellulose Nitrate Subcategory**

**§ 416.180 Applicability; description of the cellulose nitrate subcategory.**

The provisions of this subpart are applicable to discharges resulting from the reaction of fibrous cellulose and a mixture of sulfuric and nitric acids and associated processing to manufacture cellulose nitrate.

**§ 416.181 Specialized definitions.**

For the purpose of this subpart:

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

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

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such

limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, 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:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	26.....	14
TSS.....	17.....	9.4
pH.....	Within the range 6.0 to 9.0.	

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	26.....	14
TSS.....	17.....	9.4
pH.....	Within the range 6.0 to 9.0.	

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	26.....	14
TSS.....	17.....	9.4
pH.....	Within the range 6.0 to 9.0.	

**§ 416.183 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily value for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	9.4.....	6.9
COD.....	47.....	34
TSS.....	2.5.....	2.1
pH.....	Within the range 6.0 to 9.0.	

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily value for thirty consecutive days shall not exceed—
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	9.4.....	6.9
COD.....	47.....	34
TSS.....	2.5.....	2.1
pH.....	Within the range 6.0 to 9.0.	

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily value for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	9.4.....	6.9
COD.....	47.....	34
TSS.....	2.5.....	2.1
pH.....	Within the range 6.0 to 9.0.	

**§ 416.184 [Reserved]**  
**§ 416.185 Standards of performance for new sources.**

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be

discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	11.....	6.0
COD.....	54.....	30
TSS.....	2.7.....	1.8
pH.....	Within the range 6.0 to 9.0.	

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	11.....	6.0
COD.....	54.....	30
TSS.....	2.7.....	1.8
pH.....	Within the range 6.0 to 9.0.	

**§ 416.186 Pretreatment standards for new sources.**

The pretreatment standards under section 307(c) of the Act for a source within the cellulose nitrate subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.185; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

**Subpart S—Polyamide (Nylon 6/12) Subcategory**

**§ 416.190 Applicability; description of the polyamide (nylon 6/12) subcategory.**

The provisions of this subpart are applicable to discharges resulting from the manufacture of Nylon 6/12 and associated processing.

**§ 416.191 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.

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

In establishing the limitations set forth in this section, EPA took into account all information it was able to col-

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lect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed--
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	1.2.....	.66
TSS.....	.80.....	.44
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	1.2.....	.66
TSS.....	.80.....	.44
pH.....	Within the range 6.0 to 9.0.....	

§ 416.193 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed--
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.50.....	.37
COD.....	2.6.....	1.9
TSS.....	.13.....	1.11
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1,000 lb of product		
BOD <sub>5</sub> .....	.50.....	.37
COD.....	2.6.....	1.9
TSS.....	.13.....	.11
pH.....	Within the range 6.0 to 9.0.....	

§ 416.194 [Reserved]

§ 416.195 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent Characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed--
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.67.....	.37
TSS.....	.17.....	.11
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.67.....	.37
TSS.....	.17.....	.11
pH.....	Within the range 6.0 to 9.0.....	

§ 416.196 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polyamides (nylon 6/12) subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge

pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.195; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart T—Polyester Resins (Thermoplastic) Subcategory

§ 416.200 Applicability; description of the polyester resins (thermoplastic) subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of the saturated polyester polymers based on poly (ethylene terephthalate) and poly (butylene terephthalate) and associated processing.

§ 416.201 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.

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

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared

to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, 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:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	1.4.....	.78
TSS.....	.95.....	.52
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	1.4.....	.78
TSS.....	.95.....	.52
pH.....	Within the range 6.0 to 9.0.....	

**§ 416.203 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.50.....	.44
COD.....	3.1.....	2.3
TSS.....	.16.....	.14
pH.....	Within the range 6.0 to 9.0.....	

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.59.....	.44
COD.....	3.1.....	2.3
TSS.....	.16.....	.14
pH.....	Within the range 6.0 to 9.0.....	

**§ 416.204 [Reserved]**

**§ 416.205 Standards of performance for new sources.**

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.80.....	.44
COD.....	12.....	6.5
TSS.....	.20.....	.14
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.80.....	.44
COD.....	12.....	6.5
TSS.....	.20.....	.14
pH.....	Within the range 6.0 to 9.0.....	

**§ 416.206 Pretreatment standards for new sources.**

The pretreatment standards under section 307(c) of the Act for a source within the polyester resins (thermoplastic) subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.205; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspond-

ingly reduced in stringency for that pollutant.

**Subpart U—Silicones Subcategory**

**§ 416.210 Applicability; description of the silicones subcategory.**

The provisions of this subpart are applicable to discharges resulting from the manufacture of silicone fluids, greases, emulsions, rubber and resins and associated processing.

**§ 416.211 Specialized definitions.**

For the purpose of this subpart:

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

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

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry sub-categorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(1) Except as provided in subparagraphs (2) and (3) of this paragraph, the following limitations establish the

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quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of silicone fluids by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily value for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	1.9.....	1.0
TSS.....	1.25.....	.69
Cu.....	.010.....	.005
pH.....	Within the range 6.0 to 9.0	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	1.9.....	1.0
TSS.....	1.25.....	.69
Cu.....	.010.....	.005
pH.....	Within the range 6.0 to 9.0	

(2) An additional allocation for silicone plants which manufacture silicone greases, emulsions, rubbers and resins, the following quantity or quality of pollutant parameter may be discharged in addition to the limitation set forth in subparagraph (1) of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	24.....	13.2
TSS.....	16.....	8.8
cu.....	.13.....	.007
pH.....	Within the range 6.0 to 9.0	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	24.....	13.2
TSS.....	16.....	8.8
cu.....	.13.....	.007
pH.....	Within the range 6.0 to 9.0	

(3) An additional allocation for silicone plants who manufacture silicone coupling agents, the following quantity or quality of pollutant parameters may be discharged in addition to the limitation set forth in subparagraphs (1) and (2) of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	15.....	8.2
TSS.....	10.....	5.4
Cu.....	.064.....	.042
pH.....	Within the range 6.0 to 9.0	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	15.....	8.2
TSS.....	10.....	5.4
Cu.....	.064.....	.042
pH.....	Within the range 6.0 to 9.0	

**§ 416.213 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

(1) Except as provided in subparagraph (2) of this paragraph, the following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged by the manufacture of silicone fluids by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	.78.....	.57
COD.....	4.....	3
TSS.....	.21.....	.18
Cu.....	.0052.....	.0026
pH.....	Within the range 6.0 to 9.0	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	.74.....	.57
COD.....	4.....	3
TSS.....	.21.....	.18
Cu.....	.0052.....	.0026
pH.....	Within the range 6.0 to 9.0	

(2) An additional allocation for silicone plants which manufacture silicone greases, emulsions, rubbers, resins and coupling agents, the following quantity or quality of pollutant parameter may be discharged in addition to the limitation

set forth in subparagraph (1) of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	8.8.....	6.4
COD.....	45.5.....	33.4
TSS.....	2.3.....	2.0
Cu.....	.068.....	.029
pH.....	Within the range 6.0 to 9.0	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	8.8.....	6.4
COD.....	45.5.....	33.4
TSS.....	2.3.....	2.0
Cu.....	.068.....	.029
pH.....	Within the range 6.0 to 9.0	

**§ 416.214 [Reserved]**

**§ 416.215 Standards of performance for new sources.**

(1) Except as provided in subparagraph (2) of this paragraph, the following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged by the manufacture of silicone fluids by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	1.0.....	.57
COD.....	8.5.....	4.7
TSS.....	.26.....	.18
Cu.....	.0052.....	.0026
pH.....	Within the range 6.0 to 9.0	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	1.0.....	.57
COD.....	8.5.....	4.7
TSS.....	.26.....	.18
Cu.....	.0052.....	.0026
pH.....	Within the range 6.0 to 9.0	

(2) An additional allocation for silicone plants who manufacture silicone greases, emulsions, rubbers, resins, and coupling agents, the following quantity

or quality of pollutant parameter may be discharged in addition to the limitation set forth in subparagraph (1) of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
BOD <sub>5</sub> .....	10.....	5.5
COD.....	82.....	45
TSS.....	2.5.....	1.7
Cu.....	.050.....	.025
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
BOD <sub>5</sub> .....	10.....	5.5
COD.....	82.....	45
TSS.....	2.5.....	1.7
Cu.....	.050.....	.025
pH.....	Within the range 6.0 to 9.0.	

**§ 416.216 Pretreatment standards for new sources.**

The pretreatment standards under section 307(c) of the Act for a source within the silicones subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

"In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 416.215: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

[FR Doc.75-2057 Filed 1-22-75;8:45 am]

**ENVIRONMENTAL PROTECTION  
AGENCY**

[ 40 CFR Part 416 ]

[FRL 324-6]

**PLASTICS AND SYNTHETICS MANUFACTURING POINT SOURCE CATEGORY**

**Pretreatment Standards for Existing Sources**

Notice is hereby given that pretreatment standards for existing sources set forth in tentative form below are proposed by the Environmental Protection Agency (EPA or Agency). On April 5, 1974, EPA promulgated a regulation adding Part 416 to Chapter 40 of the Code of Federal Regulations (39 FR 12502). That regulation with subsequent amendments established effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources for the plastics and synthetics manufacturing point source category. The regulation proposed below will amend 40 CFR Part 416—plastics and synthetics manufacturing point source category by adding § 416.144 the ethylene vinyl acetate copolymers subcategory (Subpart N), § 416.154 the polytetrafluoroethylene subcategory (Subpart O), § 416.164 the polypropylene fiber subcategory (Subpart P), § 416.174 the alkyds and unsaturated polyester resins subcategory (Subpart Q), § 416.184 the cellulose nitrate subcategory (Subpart R), § 416.194 the polyamides (nylon 6/12) subcategory (Subpart S), § 416.204 the polyester resins (thermoplastic) subcategory (Subpart T), and § 416.214 the silicones subcategory (Subpart U) pursuant to section 307(b) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1316(b) and 1317(b) and (c), 1251, 1317(b)), 86 Stat. 816 et seq.; Pub. L. 92-500) (the Act). Simultaneously with this proposed rule making EPA is promulgating final regulations which establish the above listed subparts.

(a) *Legal authority.* Section 307(b) of the Act requires the establishment of pretreatment standards for pollutants introduced into publicly owned treatment works and 40 CFR Part 128 establishes that the Agency will propose specific pretreatment standards at the time effluent limitations are established for point source discharges. Sections 416.144, 416.154, 416.164, 416.174, 416.184, 416.194, 416.204, and 416.214 proposed below establish pretreatment standards for existing sources within the ethylene vinyl acetate copolymers subcategory (Subpart N), the polytetrafluoroethylene subcategory (Subpart O), the polypropylene fiber subcategory (Subpart P), the alkyds and unsaturated polyester resins subcategory (Subpart Q), the cellulose nitrate subcategory (Subpart R), the polyamides (nylon 6/12) subcategory (Subpart S), the polyester resins (thermoplastic) subcategory (Subpart T), and the silicones subcategory (Subpart U) of the plastics and synthetics manufacturing point source category.

(b) *Summary and basis of proposed pretreatment standard for existing*

*sources.* The general methodology and summary of conclusions are discussed in considerable detail in the preamble of the final regulation for the ethylene vinyl acetate copolymers subcategory (Subpart N), the polytetrafluoroethylene subcategory (Subpart O), the polypropylene fiber subcategory (Subpart P), the alkyds and unsaturated polyester resins subcategory (Subpart Q), the cellulose nitrate subcategory (Subpart R), the polyamides (nylon 6/12) subcategory (Subpart S), the polyester resins (thermoplastic) subcategory (Subpart T), and the silicones subcategory (Subpart U) which is promulgated by EPA simultaneously with publication of this proposed regulation. The information contained in the preamble to the final regulation is incorporated herein by reference. The proposed regulation set forth below proposes pretreatment standards for pollutants introduced into the publicly owned treatment works. The proposal will establish for each subpart the extent of application of effluent limitations to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general regulation for pretreatment standards for existing sources set forth at 40 CFR Part 128. The general regulation was proposed July 19, 1973 (38 FR 19236), and published in final form on November 8, 1973 (38 FR 30982). The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to which the limitations and standards apply. However, the proposed pretreatment regulation applies to the introduction of pollutants which are directed into a publicly owned treatment works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories: "compatible" and "incompatible." Compatible pollutants are generally not subject to pretreatment standards. However, 40 CFR 128.131 (prohibited wastes) may be applicable to compatible pollutants. Additionally, local pretreatment requirements may apply (See 40 CFR 128.110). Incompatible pollutants are subject generally to pretreatment standards as provided in 40 CFR 128.133.

Sections 416.144, 416.154, 416.164, 416.174, 416.184, 416.194, 416.204, and 416.214 of the regulation proposed below are intended to implement the concepts of 40 CFR 128.133, by stating specific limitations for pollutants which may be discharged to publicly owned treatment plants based upon best practicable control technology currently available. This is accomplished by setting § 128.133 aside and substituting the specific limitation.

Operators of publicly owned treatment works and other interested persons should refer to the Federal Guidelines: Pretreatment of Pollutants Introduced into Publicly Owned Treatment Works, published pursuant to section 304(f) of the Act, for guidance on local pretreat-

ment requirements and information on those aspects of pretreatment not amenable to a Federal standard.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR Part 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations and guidelines is adequate to make a determination regarding the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

The report entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Synthetic Polymers Segment of the Plastics and Synthetics Manufacturing Point Source Category" details the analysis undertaken in support of the regulation being proposed herein and is available for inspection in the EPA Information Center, Room 227, West Tower, Waterside Mall, Washington, D.C., at all EPA regional offices, and at State water pollution control offices. A supplementary analysis prepared for EPA of the possible economic effects of the proposed regulation is also available for inspection at these locations. Copies of both of these documents are being sent to persons or institutions affected by the proposed regulation or who have placed themselves on a mailing list for this purpose (see EPA's advance notice of public review procedures, 38 FR 21202, August 6, 1973). An additional limited number of copies of both reports are available. Persons wishing to obtain a copy may write the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Mr. Philip B. Wisman.

(c) *Summary of public participation.* As described in the "Development Document," the process wastes from the ethylene vinyl acetate copolymers subcategory, the polytetrafluoroethylene subcategory, and the polypropylene fibers subcategory have waste loads which are generally compatible with joint treatment works. The alkyds and unsaturated polyester resins subcategory, the cellulose nitrate subcategory, the polyamide (nylon 6/12) subcategory, the polyester resins (thermoplastic) subcategory, and the silicones subcategory have high process waste loads of BOD<sub>5</sub> and COD. Since joint treatment works are designed to treat BOD<sub>5</sub> and the BOD<sub>5</sub> portion of the COD, these wastes are considered compatible. However, if a joint treatment works has difficulty in meeting its NPDES permit conditions for BOD<sub>5</sub> and COD, the operator may require, at their option, pretreatment in the high process waste load product subcategories of the plastics and synthetics category in order to assist them in meeting their NPDES

permit conditions. The silicones subcategory requires pretreatment for the removal of copper.

A full listing of participants and discussion of comments and responses is included in the preamble of the final regulation for Subpart N through U being simultaneously promulgated by EPA and are incorporated herein by reference.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Mr. Philip B. Wisman. Comments on all aspects of the proposed regulation are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing a standard of performance or pretreatment standard, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of section 307(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, SW., Washington, D.C. A copy of preliminary draft contractor reports, the development document and economic study referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before February 24, 1975 will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202).

Dated: January 9, 1975.

RUSSELL E. TRAIN,  
Administrator.

Part 416 is proposed to be amended as follows:

1. Subpart N is amended by adding § 416.144 as follows:

§ 416.144 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the ethylene vinyl acetate copolymers subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to sec-

tion 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	Pretreatment standard
pH	No limitation.
BOD5	Do.
TSS	Do.
COD	Do.

2. Subpart O is amended by adding § 416.154 as follows:

§ 416.154 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the polytetrafluoroethylene subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	Pretreatment standard
pH	No limitation.
BOD5	Do.
TSS	Do.
COD	Do.
Fluorides	Do.

3. Subpart P is amended by adding § 416.164 as follows:

§ 416.164 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the polypropylene fiber subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	Pretreatment standard
pH	No limitation.
BOD 5	Do.
TSS	Do.
Oil and grease	100 mg/l.
COD	No limitation.

4. Subpart Q is amended by adding § 416.174 as follows:

§ 416.174 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the alkyds and unsaturated polyester resins subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	Pretreatment standard
pH	No limitation.
BOD 5	Do.
TSS	Do.
COD	Do.

5. Subpart R is amended by adding § 416.184 as follows:

§ 416.184 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the cellulose nitrate subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	Pretreatment standard
pH	No limitation.
BOD 5	Do.
TSS	Do.
COD	Do.

6. Subpart S is amended by adding § 416.194 as follows:

§ 416.194 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source

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within the polyamide (nylon 6/12) subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

<i>Pollutant or pollutant property</i>	<i>Pretreatment standard</i>
pH -----	No limitation.
BOD5 -----	Do.
TSS -----	Do.
COD -----	Do.

7. Subpart T is amended by adding § 416.204 as follows:

§ 416.204 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the polyester resins (thermoplastic) subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes

the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

<i>Pollutant or pollutant property</i>	<i>Pretreatment standard</i>
pH -----	No limitation.
BOD5 -----	Do.
TSS -----	Do.
COD -----	Do.

8. Subpart U is amended by adding § 416.214 as follows:

§ 416.214 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the silicones subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

<i>Pollutant or pollutant property</i>	<i>Pretreatment standard</i>
pH -----	No limitation.
BOD5 -----	Do.
TSS -----	Do.
COD -----	Do.
Copper -----	1 mg/l.

[FR Doc.75-2058 Filed 1-22-75;8:45 am]