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ENVIRONMENTAL PROTECTION AGENCY



RUBBER PROCESSING POINT SOURCE CATEGORY

Effluent Guidelines Standards

Title 40—Protection of the Environment

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

[FRL 315-7]

PART 428—RUBBER PROCESSING
POINT SOURCE CATEGORYFinal Effluent Limitations Guidelines for
Existing Sources and Standards of Per-
formance and Pretreatment Standards

On August 23, 1974, notice was published in the FEDERAL REGISTER (39 FR 30632), 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 small-sized general molded, extruded, and fabricated rubber plants; medium-sized general molded, extruded, and fabricated rubber plants; large-sized general molded, extruded, and fabricated rubber plants; wet digestion reclaimed rubber; pan, dry digestion, and mechanical reclaimed rubber; latex-dipped, latex-extruded, and latex-molded rubber; and latex foam subcategories of the rubber processing category of point sources.

The purpose of this notice is to establish final effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources in the rubber processing category of point sources, by amending 40 CFR Ch. I, Subchapter N, Part 428 by adding thereto the small-sized general molded, extruded, and fabricated rubber plants subcategory (Subpart E); the medium-sized general molded, extruded, and fabricated rubber plants subcategory (Subpart F); the large-sized general molded, extruded, and fabricated rubber plants subcategory (Subpart G); the wet digestion reclaimed rubber subcategory (Subpart H); the pan, dry digestion, and mechanical reclaimed rubber subcategory (Subpart I); the latex-dipped, latex-extruded, and latex-molded rubber subcategory (Subpart J); and the latex foam subcategory (Subpart K). 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. Regulations regarding cooling water intake structures for all categories of point sources under section 316(b) of the Act will be promulgated in 40 CFR Part 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 small-sized general molded, extruded, and fabricated rubber plants; medium-sized general molded, extruded, and fabricated rubber plants; large-sized general molded, extruded, and fabricated rubber plants; wet digestion reclaimed rubber; pan, dry digestion, and mechanical reclaimed rubber; latex-dipped, latex-extruded, and latex-molded rubber; and latex foam subcategories. In addition, the regulations as proposed were supported by two other documents: (1) The document entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Fabricated and Reclaimed Rubber Segment of the Rubber Processing Point Source Category" (August 1974) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines, The Rubber Processing Industry (Phase II)" (August 1974). Both of these documents were made available to the public and circulated to interested persons at approximately 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: Uniroyal, Inc.; B. F. Goodrich Co.; Gates Rubber Company; Goodyear Tire and Rubber Co.; Firestone Tire and Rubber Co.; Centrex Corporation; and the Rubber Manufacturers Association.

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) The comment was made that EPA did not take into consideration plant age in the development of the regulations.

As stated within the Development Document, plant age was considered and determined not to affect the ability of a plant to comply with the regulations presented herein. A substantial portion of the data used in developing the limitations for the molded and extruded subcategories were obtained from older plants in the industry. Complete redesign and repiping are not considered necessary. Isolation of pollutants and proper housekeeping should be capable of achieving compliance with the regulations.

(2) One commenter stated that consideration was not given to existing flood control procedures, involving both, the plant's and borough's storm water discharges that flow through the plant's flood station outfalls.

This type of situation was not considered and is not intended to be covered by the regulations presented herein. Other regulations and procedures exist which address this problem. It is intended that the plant control process waste water discharges as described in the Development Document. The plant may be required to monitor for pollutants prior to plant waters mixing with storm water.

(3) It was recommended that footwear be placed in a separate subcategory due to the greater number of process steps at a footwear facility as opposed to other general molded, extruded, and fabricated plants.

The data currently available to the Agency shows that footwear facilities have approximately the same raw waste loads as other types of plants in the subcategory. Therefore, the Agency considers footwear plants as being capable of meeting the same guidelines as other general molded, extruded, and fabricated plants. The greater processing steps utilized in the manufacture of footwear tend to be dry processes and therefore do not contribute to the pollutants discharged.

(4) The same commenter stated that the TSS of the incoming water is higher than the allowable limit, and that it would be more reasonable to issue guidelines based on the solids added.

EPA agrees that under certain conditions net limitations should be allowed. Amendments to 40 CFR Part 125 have been proposed so that credit for intake pollutants may be requested by the discharger.

(5) Questions were raised concerning lead treatment, process flow and cost of treatment presented in the proposed regulation.

EPA reevaluated the problems at lead-sheathed hose plants by reviewing data submitted by commenters and by plant visits and discussions with plant personnel. It was concluded that EPA underestimated the flow of lead-laden waters and the cost of treatment, and has therefore revised the supporting information. The BPCTCA lead limitation has now been set at 0.0007 kg/kg of raw material. Plants are currently achieving this limitation, and the economic analysis indicates that the possible additional cost would not impact the industry sector. Sufficient lead reduction is attained by BPCTCA, therefore, the BATEA lead limitation has also been set at 0.0007 kg/kg of raw material.

(6) Two commenters questioned the accuracy of the sample analysis, comparing their results on split samples with those of the contractor.

The comments received on sample analysis were concerned with large-sized general molded, extruded, and fabricated rubber plants and reclaimed rubber plants. EPA evaluated all of the data received and concluded that the limitations were still attainable for large-sized

general molded, extruded, and fabricated rubber plants. Further reduction of pollutants has been demonstrated by wet digestion rubber reclaiming data. The limits, therefore, have been adjusted to reflect the performance of wet digestion rubber reclaiming.

(7) Several commenters questioned the applicability of these limitations to "process water" which includes in some cases utility, sanitary, boiler blowdown, and non-contact cooling waters.

EPA has clearly defined "process waste water" for which the regulations presented herein are applicable. The development of the regulations is based upon treatment of waters which do not include utility, sanitary and non-contact cooling water. In plants where these waters become process waste water, isolation and treatment of pollutant sources can be conducted as a means of achieving compliance with the regulation. Pollutant discharge allowances for utility, sanitary, and non-contact cooling operations will be covered by separate regulations at a future date.

(8) A commenter questioned the use of hexane extraction for oil and grease measurements by stating that the U.S. EPA Regional Offices are only accepting oil and grease test results if performed using freon extraction procedures.

Results of oil and grease measurement from the use of freon or hexane are approximately equivalent and the use of either would not be detrimental to water quality. For uniformity and because there is less variability in the data the test required for oil and grease is freon extraction.

(9) One commenter stated that metal parts are frequently a component of the final product and therefore should be included in the definition of "raw material".

The term "raw material" is defined to serve as a basis of comparison when limiting pollutant discharge. After evaluation of the use of metals within the rubber industry, EPA does not consider that the pollutant contributions from metals would be properly covered by inclusion within the definition of raw material for the rubber guidelines. Pollutant limitations for metal finishing will be more properly covered by regulations for the electroplating and fabricated metal products industries.

(10) A commenter stated that the quantity of water used in developing the guidelines is small.

The quantity of water used in developing the guidelines is based upon permit data and plant inspections and is considered to be a typical volume of process water which a plant should discharge. Many plants within the rubber industry do not need to utilize and discharge process water. Spills and leaks tend to be a major contributor to pollutants loadings and flow rates. If spills and leaks are of such an extent as to create problems in meeting the regulations, it is the plant's responsibility to minimize these occurrences.

(11) Two commenters questioned the level of treatment for TSS and oil and

grease. One commenter stated that oil and grease was too close to the treatability limit.

The regulation on suspended solids is based upon 40 mg/l, a value which has been demonstrated as attainable by various treatment systems within the industry. The oil and grease limitations were based upon 10 mg/l; however, this has been altered to 15 mg/l after reevaluation and further data analysis to ensure minimum analytical variability.

(12) One commenter stated that plant H's water usage was significantly higher than other large plants and therefore footwear should be separately subcategorized.

In examining water usage listed in the Development Document, noncontact cooling waters and utility waters have been included in some cases thereby giving an improper impression of the treatability. Spills and leaks can be isolated and treated or prevented within footwear plants to a level equivalent to other molded, extruded, and fabricated rubber plants. One source of additional process water at plant H is the use of wet scrubbers. However, EPA has added additional limitations to cover pollutants discharged by wet scrubbers from the molded, extruded, and fabricated rubber subcategories.

(13) One commenter stated that pretreatment standards should be set only for components which will be harmful to municipal treatment systems.

In establishing pretreatment standards EPA is required by section 307(b) to regulate pollutants that will pass through untreated or interfere with the municipal treatment system.

(14) A company stated that § 428.54 along with other sections of the proposed regulation are reserved and that they could not agree to endorsing a section without being able to evaluate its contents.

The sections that have been reserved will be utilized for pretreatment regulations applicable to existing sources. However, these sections are being proposed concurrently with promulgation of this regulation and will be promulgated after the comment and review period.

(15) One comment indicated that energy estimates to meet the proposed regulations are unrealistically low, partially because they fail to include horsepower for recirculation of cooling water.

A plant may use whatever technology it desires to achieve compliance with the regulations. EPA does not consider recirculation of cooling water necessary to achieve compliance with the regulations. The treatment design contained within the Development Document did not require recirculation of cooling water, and therefore, energy requirements for such a system were not included.

(16) 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 BPCTCA lead limitation was reduced to 0.0007 kg/kkg of raw material.

(2) The daily maximum effluent limitations for all subparts were altered.

(3) Limitations were amended within Subparts E, F, and G to take into consideration pollutants from wet scrubbers.

(c) *Economic impact.* There are two changes which affect the economic impact analysis: the cost of lead treatment has been raised in response to comments and the cost of treatment for the rubber reclaim plants has been clarified. In response to higher lead treatment costs, a reevaluation of the economic impact concludes that the revised costs would not materially affect the previous conclusions. For the reclaim rubber segment, a plant-by-plant assessment indicated that no plants would be expected to close, rather than the three possible closures forecast earlier.

(d) *Cost-benefit analysis.* The detrimental effects of the constituents of waste waters now discharged by point sources within the fabricated and reclaimed rubber segment of the rubber processing point source category are discussed in Section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the Fabricated and Reclaimed Rubber Segment of the Rubber Processing Point Source Category" (November 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 guidelines 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 The Rubber Processing Industry (Phase II)" (August 1974). Implementing the effluent limitations guidelines 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 rubber processing industry. The Agency believes

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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 Fabricated and Reclaimed Rubber Segment of the Rubber Processing Point Source Category," has been published and is available for purchase from the Government Printing Office, Washington, D.C. 20402 for a nominal fee.

Copies of the economic analysis document previously cited will be available from the National Technical Information Service, Springfield, Virginia 22151.

(f) Final rulemaking.

In consideration of the foregoing, 40 CFR Ch. I, Subchapter N, Part 428, Rubber Processing Point Source Category, is hereby amended by adding additional Subparts E, F, G, H, I, J, and K to read as set forth below. This final regulation is promulgated as set forth below and shall be effective immediately on January 10, 1975.

Dated: December 30, 1974.

JOHN QUARLES,
Acting Administrator.

Subpart E—Small-Sized General Molded, Extruded and Fabricated Rubber Plants Subcategory

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428.51 Specialized definitions.
428.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
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Subpart F—Medium-Sized General Molded, Extruded and Fabricated Rubber Plants Subcategory

- 428.60 Applicability; description of the medium-sized general molded, extruded, and fabricated rubber plants subcategory.
428.61 Specialized definitions.
428.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

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

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428.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
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- Sec.
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Subpart K—Latex Foam Subcategory

- 428.110 Applicability; description of the latex foam subcategory.
428.111 Specialized definitions.
428.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
428.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
428.114 [Reserved]
428.115 Standards of performance for new sources.
428.116 Pretreatment standards for new sources.

AUTHORITY: Secs. 301, 304 (b) and (c), 306 (b) and (c), 307(c), Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c), 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500.

Subpart E—Small-Sized General Molded, Extruded, and Fabricated Rubber Plants Subcategory

§ 428.50 Applicability; description of the small-sized general molded, extruded, and fabricated rubber plants subcategory.

The following provisions of this subpart are applicable to process waste water discharges resulting from the production of molded, extruded, and fabricated rubber products, foam rubber backing, rubber cement-dipped goods, and retreaded tires by small-sized plants. Specifically excluded from the provisions of this subpart are the discharges resulting from the production of latex-based products, tires and inner tubes, and those discharges from textile plants subject to the provisions of Part 410 of this Chapter.

§ 428.51 Specialized definitions.

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

(b) The term "raw material" shall mean all natural and synthetic rubber, carbon black, oils, chemical compounds, and fabric used in the manufacture of general molded, extruded, and fabricated rubber products.

(c) The term "raw material equivalent" shall be equal to the raw material usage multiplied by the volume of air scrubbed via wet scrubbers divided by the total volume of air scrubbed.

(d) The term "small-sized plants" shall mean plants which process less than 3,720 kg/day (8,200 lbs/day) of raw materials.

§ 428.52 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.

(a) 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 raw material		
Oil and Grease.....	0.70.....	0.25
TSS.....	1.28.....	0.64
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of raw material		
Oil and Grease.....	0.70.....	0.25
TSS.....	1.28.....	0.64
pH.....	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, 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, in addition to the limitations set forth by § 428.52(a):

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 raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to wet scrubbers, 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, in addition to the limitations set forth by § 428.52(a):

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 raw material equivalent		
TSS.....	5.8.....	2.9
(English units) lb/1000 lb of raw material equivalent		
TSS.....	5.8.....	2.9

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

(a) 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 raw material		
Oil and Grease.....	0.70.....	0.25
TSS.....	1.28.....	0.64
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of raw material		
Oil and Grease.....	0.70.....	0.25
TSS.....	1.28.....	0.64
pH.....	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable, in addition to the limitations set forth by § 428.53(a):

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 raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to wet scrubbers, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable, in addition to the limitations set forth by § 428.53(a):

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 raw material equivalent		
TSS.....	1.0.....	0.5
(English units) lb/1000 lb of raw material equivalent		
TSS.....	1.0.....	0.5

§ 428.54 [Reserved]

§ 428.55 Standards of performance for new sources.

(a) 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 raw material		
Oil and Grease.....	0.70.....	0.25
TSS.....	1.28.....	0.64
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of raw material		
Oil and Grease.....	0.70.....	0.25
TSS.....	1.28.....	0.64
pH.....	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged by a new source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.55(a):

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 raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

§ 428.56 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the small-sized general molded, extruded, and fabricated rubber plants subcategory which is a user of a publicly owned treatment works and a

major contributing industry as defined in Part 128 of this Chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this Chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this Chapter shall not apply.

(a) 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 new point source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment standard
pH.....	No limitation.
TSS.....	Do.
Oil and grease.....	100 mg/l daily maximum.

(b) The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.56(a):

Pollutant or pollutant property	Pretreatment standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

Subpart F—Medium-Sized General Molded, Extruded, and Fabricated Rubber Plants Subcategory

§ 428.60 Applicability; description of the medium-sized general molded, extruded, and fabricated rubber plants subcategory.

The following provisions of this subpart are applicable to process waste water discharges resulting from the production of molded, extruded, and fabricated rubber products, foam rubber backing, rubber cement-dipped goods, and retreaded tires by medium-sized plants. Specifically excluded from the provisions of this subpart are the discharges resulting from the production of latex-based products, tires and inner tubes, and those discharges from textile plants subject to the provisions of Part 410 of this chapter.

§ 428.61 Specialized definitions.

For the purpose of this subpart: (a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part

401 of this chapter shall apply to this subpart.

(b) The term "raw material" shall mean all natural and synthetic rubber, carbon black, oils, chemical compounds, and fabric used in the manufacture of general molded, extruded, and fabricated rubber products.

(c) The term "raw material equivalent" shall be equal to the raw material usage multiplied by the volume of air scrubbed via wet scrubbers divided by the total volume of air scrubbed.

(d) The term "medium-sized plants" shall mean plants which process between 3,720 kg/day (8,200 lbs/day) and 10,430 kg/day (23,000 lbs/day) of raw materials.

§ 428.62 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.

(a) 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/kkg of raw material		
Oil and Grease.....	0.42.....	0.15
TSS.....	0.80.....	0.40
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of raw material		
Oil and Grease.....	0.42.....	0.15
TSS.....	0.80.....	0.40
pH.....	Within the range 6.0 to 9.0.....	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, 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, in addition to the limitations set forth by § 428.62(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to wet scrubbers, 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, in addition to the limitations set forth by § 428.62(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material equivalent		
TSS.....	5.8.....	2.9
(English units) lb/1000 lb of raw material equivalent		
TSS.....	5.8.....	2.9

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

(a) 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/kkg of new material		
Oil and Grease.....	0.42.....	0.15
TSS.....	0.80.....	0.40
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of raw material		
Oil and Grease.....	0.42.....	0.15
TSS.....	0.80.....	0.40
pH.....	Within the range 6.0 to 9.0.....	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable, in addition to the limitations set forth by § 428.63(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to wet scrubbers, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable, in addition to the limitations set forth by § 428.63:

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material equivalent		
TSS.....	1.0.....	0.5
(English units) lb/1000 lb of raw material equivalent		
TSS.....	1.0.....	0.5

§ 428.64 [Reserved]

§ 428.65 Standards of performance for new sources.

(a) 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/kkg of raw material		
Oil and Grease.....	0.42.....	0.15
TSS.....	0.80.....	0.40
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of raw material		
Oil and Grease.....	0.42.....	0.15
TSS.....	0.80.....	0.40
pH.....	Within the range 6.0 to 9.0.....	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged by a new source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.65(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

§ 428.66 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the medium-sized general molded, extruded, and fabricated rubber plants subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this chapter shall not apply.

(a) 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 new point source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment standard
pH	No limitation.
TSS	Do.
Oil and grease	100 mg/l daily maximum.

(b) The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.66(a) :

Pollutant or Pollutant Property	Pretreatment Standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of raw material		
Lead	0.0017	0.0007
(English units) lb/1000 lb of raw material		
Lead	0.0017	0.0007

Subpart G—Large-Sized General Molded, Extruded, and Fabricated Rubber Plants Subcategory

§ 428.70 Applicability; description of the large-sized general molded, extruded, and fabricated rubber plants subcategory.

The following provisions of this subpart are applicable to process waste water discharges resulting from the production of molded, extruded, and fabricated rubber products, foam rubber backing, rubber cement-dipped goods, and retreaded tires by large-sized plants. Specifically excluded from the provisions of this subpart are the discharges resulting from the production of latex-based products, tires and inner tubes, and those dis-

charges from textile plants subject to the provisions of Part 410 of this chapter.

§ 428.71 Specialized definitions.

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

(b) The term "raw material" shall mean all natural and synthetic rubber, carbon black, oils, chemical compounds, and fabric used in the manufacture of general molded, extruded, and fabricated rubber products.

(c) The term "raw material equivalent" shall be equal to the raw material usage multiplied by the volume of air scrubbed via wet scrubbers divided by the total volume of air scrubbed.

(d) The term "large-sized plants" shall mean plants which process more than 10,430 kg/day (23,000 lbs/day) of raw materials.

§ 428.72 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.

(a) 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 value for thirty consecutive days shall not exceed—
(Metric units) kg/kg of raw material		
Oil and Grease	0.26	0.093
TSS	0.50	0.25
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of raw material		
Oil and Grease	0.26	0.093
TSS	0.50	0.25
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, 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, in addition to the limitations set forth by § 428.72(a) :

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 raw material		
Lead	0.0017	0.0007
(English units) lb/1000 lb of raw material		
Lead	0.0017	0.0007

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to wet scrubbers, 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, in addition to the limitations set forth by § 428.72(a) :

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 raw material equivalent		
TSS	5.8	2.9
(English units) lb/1000 lb of raw material equivalent		
TSS	5.8	2.9

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

(a) 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/kkg of raw material		
Oil and Grease.....	0.26.....	0.093
TSS.....	0.50.....	0.25
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of raw material		
Oil and Grease.....	0.26.....	0.093
TSS.....	0.50.....	0.25
pH.....	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable, in addition to the limitations set forth by § 428.73(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to wet scrubbers, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable, in addition to the limitations set forth by § 428.73(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material equivalent		
TSS.....	1.0.....	0.5
(English units) lb/1000 lb of raw material equivalent		
TSS.....	1.0.....	0.5

§ 428.74 [Reserved]

§ 428.75 Standards of performance for new sources.

(a) 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/kkg of raw material		
Oil and Grease.....	0.26.....	0.093
TSS.....	0.50.....	0.25
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of raw material		
Oil and Grease.....	0.26.....	0.093
TSS.....	0.50.....	0.25
pH.....	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to lead-sheathed hose production, which may be discharged by a new source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.75(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

§ 428.76 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the large-sized general molded, extruded, and fabricated rubber plants subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this Chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this Chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this Chapter shall not apply.

(a) 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 new point source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment Standard
pH.....	No limitation.
TSS.....	Do.
Oil and grease.....	100 mg/1 daily maximum.

(b) The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section, and attributable to lead-sheathed hose production, which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.76(a):

Pollutant or pollutant property	Pretreatment standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

Subpart H—Wet Digestion Reclaimed Rubber Subcategory

§ 428.80 Applicability; description of the wet digestion reclaimed rubber subcategory.

The provisions of this subpart are applicable to process waste water discharges resulting from the production of reclaimed rubber by use of the wet digestion process.

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§ 428.81 Specialized definitions.

For the purpose of this subpart:

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

§ 428.82 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		
COD.....	14.7.....	6.11
Oil and Grease.....	0.40.....	0.144
TSS.....	1.04.....	0.52
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		
COD.....	14.7.....	6.11
Oil and Grease.....	0.40.....	0.144
TSS.....	1.04.....	0.52
pH.....	Within the range 6.0 to 9.0.	

§ 428.83 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		
COD.....	14.7.....	6.11
Oil and Grease.....	0.40.....	0.144
TSS.....	1.04.....	0.52
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		
COD.....	14.7.....	6.11
Oil and Grease.....	0.40.....	0.144
TSS.....	1.04.....	0.52
pH.....	Within the range 6.0 to 9.0.	

§ 428.84 [Reserved].

§ 428.85 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		
COD.....	14.7.....	6.11
Oil and Grease.....	0.40.....	0.144
TSS.....	1.04.....	0.52
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		
COD.....	14.7.....	6.11
Oil and Grease.....	0.40.....	0.144
TSS.....	1.04.....	0.52
pH.....	Within the range 6.0 to 9.0.	

§ 428.86 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the wet digestion reclaimed rubber subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this chapter 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 new point source subject to the provisions of this subpart:

Pollutant or Pollutant Property	Pretreatment Standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
COD.....	14.7.....	6.11
Oil and Grease.....	100 mg/l.....	
TSS.....	No limitation.....	
pH.....	No limitation.....	

Pollutant or Pollutant Property	Pretreatment Standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(English units) lb/1000 lb of product		
COD.....	14.7.....	6.11
Oil and Grease.....	100 mg/l.....	
TSS.....	No limitation.....	
pH.....	No limitation.....	

Subpart I—Pan, Dry Digestion, and Mechanical Reclaimed Rubber Subcategory

§ 428.90 Applicability; description of the pan, dry digestion, and mechanical reclaimed rubber subcategory.

The provisions of this subpart are applicable to process waste water discharges resulting from the production of reclaimed rubber except when produced by the wet digestion process.

§ 428.91 Specialized definitions.

For the purpose of this subpart:

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

§ 428.92 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 lim-

itations, or initiate proceedings to revise these regulations.

(a) 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/kkg of product		
Oil and Grease.....	0.40.....	0.144
TSS.....	0.384.....	0.192
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
Oil and Grease.....	0.40.....	0.144
TSS.....	0.384.....	0.192
pH.....	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to pan, dry digestion, and mechanical reclaimed rubber processes which are integrated with a wet digestion reclaimed process, 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, in addition to the limitations set forth by § 428.92(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD.....	6.7.....	2.8
(English units) lb/1000 lb of product		
COD.....	6.7.....	2.8

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

(a) The following limitations establish the quantity or quality of pollut-

ants 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/kkg of product		
Oil and Grease.....	0.40.....	0.144
TSS.....	0.384.....	0.192
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
Oil and Grease.....	0.40.....	0.144
TSS.....	0.384.....	0.192
pH.....	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to pan, dry digestion, and mechanical reclaimed rubber processes which are integrated with a wet digestion reclaimed rubber process, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable in addition to the limitations set forth by § 428.93(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed
(Metric units) kg/kkg of product		
COD.....	6.7.....	2.8
(English units) lb/1000 lb of product		
COD.....	6.7.....	2.8

§ 428.94 [Reserved]

§ 428.95 Standards of performance for new sources.

(a) 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:

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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		
Oil and Grease.....	0.40.....	0.144
TSS.....	0.384.....	0.192
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product		
Oil and Grease.....	0.40.....	0.144
TSS.....	0.384.....	0.192
pH.....	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to pan, dry digestion, and mechanical reclaimed rubber processes which are integrated with a wet digestion reclaimed rubber process, which may be discharged by a new source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.95:

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		
COD.....	6.7.....	2.8
(English units) lb/1000 lb of product		
COD.....	6.7.....	2.8

§ 428.96 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the pan, dry digestion, and mechanical reclaimed rubber subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this Chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this chapter shall not apply.

(a) 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 new point source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment standard
pH.....	No limitation.
TSS.....	Do.
Oil and grease.....	100 mg/l daily maximum.

(b) The following pretreatment standard establishes the quantity or quality or pollutant properties controlled by this section and attributable to pan, dry digestion, and mechanical reclaimed rubber processes which are integrated with a wet digestion reclaimed rubber process, which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.96(a):

Pollutant or Pollutant Property	Pretreatment Standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of product		
COD.....	6.7.....	2.8
(English units) lb/1000 lb of product		
COD.....	6.7.....	2.8

Subpart J—Latex-Dipped, Latex-Extruded, and Latex-Molded Rubber Subcategory

§ 428.100 Applicability; description of the latex-dipped, latex-extruded, and latex-molded rubber subcategory.

The provisions of this subpart are applicable to process waste water discharges resulting from the manufacture of latex-dipped, latex-extruded, and latex-molded products with the exception of those discharges from textile plants subject to the provisions of Part 410 of this chapter.

§ 428.101 Specialized definitions.

For the purpose of this subpart:

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

(b) The term "chromium" shall mean total chromium.

(c) The term "raw material" shall mean all latex solids used in the manufacture of latex-dipped, latex-extruded, and latex-molded products.

§ 428.102 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.

(a) 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 raw material		
Oil and Grease.....	2.0.....	0.73
BOD ₅	3.72.....	2.20
TSS.....	6.96.....	2.90
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of raw material		
Oil and Grease.....	2.0.....	0.73
BOD ₅	3.72.....	2.20
TSS.....	6.96.....	2.90
pH.....	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to plants employing the chromic acid form-cleaning operation, by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available, in addition to the limitations set forth by § 428.102(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Chromium.....	0.0086.....	0.0036
(English units) lb/1000 lb of raw material		
Chromium.....	0.0086.....	0.0036

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

(a) 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/kkg of raw material		
Oil and Grease.....	2.0.....	0.73
BOD ₅	3.72.....	2.20
TSS.....	6.96.....	2.90
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of raw material		
Oil and Grease.....	2.0.....	0.73
BOD ₅	3.72.....	2.20
TSS.....	6.96.....	2.90
pH.....	Within the range 6.0 to 9.0.....	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to plants employing the chromic acid form-cleaning operation, by a point source subject to the provisions of this subpart after application of the best available technology economically achievable, in addition to the limitations set forth by § 428.103(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Chromium.....	0.0086.....	0.0036
(English units) lb/1000 lb of raw material		
Chromium.....	0.0086.....	0.0036

§ 428.104 [Reserved]

§ 428.105 Standards of performance for new sources.

(a) 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/kkg of raw material		
Oil and Grease.....	2.0.....	0.73
BOD ₅	3.72.....	2.20
TSS.....	6.96.....	2.90
pH.....	Within the range 6.0 to 9.0.....	
(English units) lb/1000 lb of raw material		
Oil and Grease.....	2.0.....	0.73
BOD ₅	3.72.....	2.20
TSS.....	6.96.....	2.90
pH.....	Within the range 6.0 to 9.0.....	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to plants employing the chromic acid form-cleaning operation, which may be discharged by a new source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.102(a):

Effluent characteristic	Effluent limitations	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Chromium.....	0.0086.....	0.0036
(English units) lb/1000 lb of raw material		
Chromium.....	0.0086.....	0.0036

§ 428.106 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the latex-dipped, latex-extruded, and latex-molded rubber subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this chapter shall not apply.

(a) 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 new 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 daily maximum.

(b) The following pretreatment standard establishes the quantity or quality of pollutant properties controlled by this section and attributable to plants employing the chromic acid form-cleaning operation, which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.106(a):

Pollutant or pollutant property	Pretreatment standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Chromium.....	0.0086.....	0.0036
(English units) lb/1000 lb of raw material		
Chromium.....	0.0086.....	0.0036

Subpart K—Latex Foam Subcategory

§ 428.110 Applicability; description of the latex foam subcategory.

The provisions of this subpart are applicable to process waste water discharges resulting from the manufacture of latex foam except for those discharges from textile plants subject to the provisions of Part 410 of this chapter.

§ 428.111 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and meth-

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ods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

(b) The term "raw material" shall mean all latex solids used in the manufacture of latex foam.

§ 423.112 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 raw material		
Zinc.....	0.058.....	0.024
BOD ₅	2.4.....	1.4
TSS.....	2.26.....	0.94
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of raw material		
Zinc.....	0.058.....	0.024
BOD ₅	2.4.....	1.4
TSS.....	2.26.....	0.94
pH.....	Within the range 6.0 to 9.0.	

§ 423.113 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 raw material		
Zinc.....	0.058.....	0.024
BOD ₅	2.4.....	1.4
TSS.....	2.26.....	0.94
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of raw material		
Zinc.....	0.058.....	0.024
BOD ₅	2.4.....	1.4
TSS.....	2.26.....	0.94
pH.....	Within the range 6.0 to 9.0.	

§ 423.114 [Reserved]

§ 423.115 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 raw material		
Zinc.....	0.058.....	0.024
BOD ₅	2.4.....	1.4
TSS.....	2.26.....	0.94
pH.....	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of raw material		
Zinc.....	0.058.....	0.024
BOD ₅	2.4.....	1.4
TSS.....	2.26.....	0.94
pH.....	Within the range 6.0 to 9.0.	

§ 423.116 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the latex foam subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this chapter 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 new point source subject to the provisions of this subpart:

Pollutant or Pollutant Property	Pretreatment Standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed
(Metric units) kg/kg of raw material		
Zinc.....	0.058.....	0.024
BOD ₅	No limitation.....
TSS.....	No limitation.....
pH.....	No limitation.....
(English units) lb/1000 lb of raw material		
Zinc.....	0.058.....	0.024
BOD ₅	No limitation.....
TSS.....	No limitation.....
pH.....	No limitation.....

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ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 428]

[FRL 315-8]

RUBBER PROCESSING POINT SOURCE CATEGORY

Proposed Pretreatment Standards for Existing Sources

Notice is hereby given pursuant to section 307(b) of the Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1317(b); 86 Stat. 816 et seq.; Pub. L. 92-500, that the proposed regulation set forth below proposes pretreatment standards for pollutants introduced into publicly owned treatment works. The proposal will amend 40 CFR Part 428—Rubber Processing Point Source Category, establishing for each subcategory therein the extent of application of effluent limitations guidelines to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general regulation for pretreatment standards 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 proposed regulation is also intended to supplement a final regulation being simultaneously promulgated by the Environmental Protection Agency (EPA or Agency) which provides effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources within the small-sized general molded, extruded, and fabricated rubber plants; medium-sized general molded, extruded, and fabricated rubber plants; large-sized general molded, extruded, and fabricated rubber plants; wet digestion reclaimed rubber; pan, dry digestion, and mechanical reclaimed rubber; latex-dipped, latex-extruded, and latex-molded rubber; and the latex foam subcategories of the rubber processing point source category. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. 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 (40 CFR Part 428) promulgated simultaneously apply. However, the proposed 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. Compatible pollutants are cal pretreatment requirements may apply (see 40 CFR 128.110). Incompatible

pollutants are subject generally to pretreatment standards as provided in 40 CFR 128.133.

The regulation proposed below is intended to implement that portion of § 128.133, above, requiring that a separate provision be made stating the application to pretreatment standards of effluent limitations guidelines based upon best practicable control technology currently available.

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 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.

Sections 428.56, 428.66, 428.76, 428.86, 428.96, 428.106, and 428.116 of the proposed regulation for point sources within the small-sized general molded, extruded, and fabricated rubber plants; medium-sized general molded, extruded, and fabricated rubber plants; large-size general molded, extruded, and fabricated rubber plants; wet digestion reclaimed rubber; pan, dry digestion, and mechanical reclaimed rubber; latex-dipped, latex-extruded, and latex-molded rubber; and the latex foam subcategories (August 23, 1974; 39 FR 30632), contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains §§ 428.56, 428.66, 428.76, 428.86, 428.96, 428.106, and 428.116 which state the applicability of standards of performance for purposes of pretreatment standard for new sources.

A preliminary Development Document was made available to the public at approximately the time of publication of the notice of proposed rulemaking and the final Development Document entitled "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Fabricated and Reclaimed Rubber Segment of the Rubber Processing Point Source Category" will be published. The economic analysis report entitled "Economic Analysis of Proposed Effluent Guidelines, the Rubber Processing Industry (Phase II)", (August 1974) was made available at the time of proposal. Copies of the final Development Document and economic analysis report will continue to be maintained for inspection and copying during the comment period at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, SW., Washington, D.C. Copies will also be available for inspection at EPA regional offices and at State water pollution control agency offices. Copies

of the Development Document may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis report will be available for purchase through the National Technical Information Service, Springfield, Virginia 22151.

The Development Document referred to above contains information available to the Agency concerning the major environmental effects of the regulation proposed below. The information includes: (1) The identification of pollutants present in waste waters resulting from the manufacture of rubber products, the characteristics of these pollutants, and the degree of pollutant reduction obtainable through implementation of the proposed standard; and (2) the anticipated effects on other aspects of the environment (including air, subsurface waters, solid waste disposal and land use, and noise) of the treatment technologies available to meet the standard proposed.

The Development Document and the economic analysis report referred to above also contain information available to the Agency regarding the estimated cost and energy consumption implications of those treatment technologies and the potential effects of those costs on the price and production of rubber products. To the extent possible, significant aspects of the material have been presented in summary form in the preamble to the proposed regulation containing effluent limitations guidelines, new source performance standards and pretreatment standards for new sources within the rubber processing category (39 FR 30632; August 23, 1974). Additional discussion is contained in the analysis of public comments on the proposed regulation and the Agency's response to those comments. This discussion appears in the preamble to the promulgated regulation (40 CFR Part 428) which currently is being published in the Rules and Regulations section of the FEDERAL REGISTER as part of the Part II.

The options available to the Agency in establishing the level of pollutant reduction obtainable through the best practicable control technology currently available, and the reasons for the particular level of reduction selected are discussed in the documents described above. In applying the effluent limitations guidelines to pretreatment standards for the introduction of incompatible pollutants into municipal systems by existing sources in the small-sized general molded, extruded, and fabricated rubber plants; medium-sized general molded, extruded, and fabricated rubber plants; large-sized general molded, extruded, and fabricated rubber plants; wet digestion reclaimed rubber; pan, dry digestion, and mechanical reclaimed rubber; latex-dipped, latex-extruded, and latex-molded rubber; and the latex foam subcategories, the Agency has essentially three options. The first is to allow unrestricted discharge to publicly owned treatment works of materials known to be adequately treated in such

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works (commonly classed as compatible pollutants). The second is to require the application of BPT based (1977) limitations to those pollutants which interfere with, pass through or otherwise are incompatible with such works. The third is to establish a different discharge limitation for those pollutants which are treated to a known degree in publicly owned treatment works but such treatment is relatively inadequate.

Some of the pollutants contained in the waste waters (BOD and TSS) are readily treated in typical publicly owned treatment works and should not require specific pretreatment. Oil and grease should be limited to 100 mg/l to reflect the capabilities of publicly owned treatment systems. COD, lead, zinc, and chromium should be pretreated to BPTCA limitations.

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 regulations 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 pretreatment standards for existing sources, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304 and 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. 20460. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

In consideration of the foregoing, it is hereby proposed that 40 CFR Part 428 be amended to add §§ 428.54, 428.64, 428.74, 428.84, 428.94, 428.104, and 428.114 as set forth below. All comments received on or before February 10, 1975, will be considered.

Dated: December 30, 1974.

JOHN QUARLES,
Acting Administrator.

Part 428 is proposed to be amended as follows:

Subpart E is amended by adding § 428.54 as follows:

§ 428.54 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the small-sized general molded, extruded, and fabricated rubber plants subcategory which is a user of a publicly owned treatment works and a major

contributing industry as defined in Part 128 of this chapter (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), consistent with the requirements in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this chapter shall not apply.

(a) 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:

Pretreatment Standard	Pollutant or Pollutant Property
pH	No limitation.
TSS	No limitation.
Oil and Grease	100 mg/l daily maximum.

(b) The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged to a publicly owned treatment works by an existing point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.54(a):

Pollutant or pollutant property	Pretreatment standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of raw material		
Lead	0.0017	0.0007
(English units) lb/1000 lb of raw material		
Lead	0.0017	0.0007

Subpart F is amended by adding § 428.64 as follows:

§ 428.64 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the medium-sized general molded, extruded, and fabricated rubber plants subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (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), consistent with the requirements in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this chapter shall not apply.

(a) 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.
TSS	No limitation.
Oil and Grease	100 mg/l daily maximum.

(b) The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.64(a):

Pollutant or pollutant property	Pretreatment standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kg of raw material		
Lead	0.0017	0.0007
(English units) lb/1000 lb of raw material		
Lead	0.0017	0.0007

Subpart G is amended by adding § 428.74 as follows:

§ 428.74 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the large-sized general molded, extruded, and fabricated rubber plants subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (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), consistent with the requirements in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this chapter shall not apply.

(a) 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.
TSS	No limitation.
Oil and Grease	100 mg/l Daily Maximum.

(b) The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties, controlled by this section, and attributable to lead-sheathed hose production, which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.74(a):

Pollutant or pollutant property	Pretreatment standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Lead.....	0.0017.....	0.0007
(English units) lb/1000 lb of raw material		
Lead.....	0.0017.....	0.0007

Subpart H is amended by adding § 428.84 as follows:

§ 428.84 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the wet digestion reclaimed rubber subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (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), consistent with the requirements in Part 128 of this chapter except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter 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 standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD.....	14.7.....	6.11
Oil and Grease.....	100 mg/l.....	
TSS.....	No limitation.....	
pH.....	No limitation.....	
(English units) lb/1000 lb of product		
COD.....	14.7.....	6.11
Oil and Grease.....	100 mg/l.....	
TSS.....	No limitation.....	
pH.....	No limitation.....	

Subpart I is amended by adding § 428.94 as follows:

§ 428.94 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the pan, dry digestion, and mechanical reclaimed rubber subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in part 128 of this chapter (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), consistent with the requirements in Part 128 of this chapter except that, for the purpose of this section, §§ 128.121, 128.122, 128.132 and 128.133 of this chapter shall not apply.

(a) 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.
TSS.....	No limitation.
Oil and Grease.....	100 mg/l Daily Maximum.

(b) The following pretreatment standard establishes the quantity or quality of pollutant properties controlled by this section and attributable to pan, dry digestion, and mechanical reclaimed rubber processes which are integrated with a wet digestion reclaimed rubber process, which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.94(a):

Pollutant or pollutant property	Pretreatment standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD.....	6.7.....	2.8
(English units) lb/1000 lb of product		
COD.....	6.7.....	2.8

Subpart J is amended by adding § 428.104 as follows:

§ 428.104 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the latex-dipped, latex-extruded, and latex-molded rubber subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (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), consistent with the requirements in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply.

(a) 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	No limitation.
TSS.....	No limitation.
Oil and Grease.....	100 mg/l Daily Maximum.

(b) The following pretreatment standard establishes the quantity or quality or pollutant properties controlled by this section and attributable to plants employing the chromic acid form-cleaning operation, which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, in addition to the limitations set forth by § 428.104(a):

Pollutant or pollutant property	Pretreatment standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Chromium.....	0.0086.....	0.0036
(English units) lb/1000 lb of raw material		
Chromium.....	0.0086.....	0.0036

Subpart K is amended by adding § 428.114 as follows:

§ 428.114 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the latex foam subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (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), consistent with the requirements in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter 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 standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of raw material		
Zinc.....	0.058.....	0.024
BOD ₅	No limitation.....	
TSS.....	No limitation.....	
pH.....	No limitation.....	
(English units) lb/1000 lb of raw material		
Zinc.....	0.058.....	0.024
BOD ₅	No limitation.....	
TSS.....	No limitation.....	
pH.....	No limitation.....	

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