

Title 40—Protection of the Environment
 CHAPTER I—ENVIRONMENTAL
 PROTECTION AGENCY
 SUBCHAPTER N—EFFLUENT GUIDELINES AND
 STANDARDS
 PART 425—LEATHER TANNING AND FIN-
 ISHING INDUSTRY POINT SOURCE
 CATEGORY

Various Subcategories

On December 7, 1973, notice was published in the FEDERAL REGISTER (38 FR 33860), 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 hair pulp unhairing with chrome tanning and finishing subcategory, hair save unhairing with chrome tanning and finishing subcategory, unhairing with vegetable and alum tanning and finishing subcategory, finishing of tanned hides subcategory, vegetable or chrome tanning of unhairing hides subcategory, and unhairing with chrome tanning and no finishing subcategory, of the Leather Tanning and Finishing Industry 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 Leather Tanning and Finishing Industry category of point sources, by amending 40 CFR Chapter I, Subchapter N, to add a new Part 425. 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 46 CFR 402.

In addition, EPA is simultaneously proposing a separate provision which appears following this document in Part III 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 hair pulp unhairing with chrome tanning and finishing subcategory, hair save unhairing with chrome tanning and finishing subcategory, unhairing with vegetable or alum tanning and finishing subcategory, finishing of tanned hides subcategory, vegetable or chrome tanning of unhairing hides subcategory, and unhairing with chrome tanning and no finishing subcategory. 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 Leather Tanning and Finishing Industry Point Source Category" (November, 1973) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines, Leather Tanning and Finishing Industry" (October 1973). 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 there-to follow.

The regulation as promulgated contains important changes from the proposed regulation. The following discussion outlines the reasons why these changes were made and why other suggested changes were not implemented.

(a) *Summary of comments.* The following responded to the request for written comments contained in the preamble to the proposed regulation: Verrill, Dana, Philbrick Putnam, and Williamson, Bell, Galyardt and Wells, State of N.Y. (DEC), Virginia Oak Tannery, Inc., State of Michigan (DNR), A. C. Lawrence Co., Kleinschmidt and Dutting, Armour Leather Co., Canada Packers Limited, Brown Shoe Company, County of Los Angeles, California, Tanners' Council of America, Waste Water Engineers, U.S. Dept. of Interior, and Moench Tanning Co.

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

(1) A number of comments reflected concern that the proposed limitations could not be attained with the treatment technology currently available. Furthermore, commenters questioned the applicability of treatment technology transferred from other industries.

The proposed best practicable effluent limitations were based on the performances of exemplary treatment systems transferred from other industries. These systems have consistently achieved high pollutant removal and produced high quality effluents. Much information has been received which indicates that the fibrous proteins and fats along with the tanning chemicals result in a waste water dissimilar to meat packing or other industrial wastes whose treatment technologies are generally believed to be transferrable to the leather tanning and finishing industry. Nevertheless, the Agency considers leather tanning and

finishing wastes treatable to exemplary levels because the organic matter and suspended solids contained in the waste water can be removed through conventional primary and biological treatment methods. The Agency also recognizes, however, that the rate of treatment may be lower than other wastes due to the fibrous, insoluble components. Furthermore, the Agency recognizes the problems of technology transfer associated with treatment plant design and operation, and that the optimum performance required with strict effluent limitations along with a lower rate of treatability would require a significant economic expenditure for excess capacity within the treatment system. On the basis of these technical and economic considerations the best practicable effluent limitations have been revised to reflect a more practicable effluent quality.

(2) The comment was made that the cost of best practicable technology and its economic impact was underestimated.

The Agency has reviewed its cost estimates and recognizes the possibility that solid waste handling costs were underestimated. Revised cost estimates have been prepared that forecast some economic impact for most small processors and a few medium sized processors. Thus, an exemption in the form of less stringent BOD₅ and TSS limitations is required for these facilities.

(3) Several comments were received that questioned the validity of omitting any variation for seasonality.

Much chemical, biological and engineering information has been supplied by the leather tanning and finishing industry in order to document the variations experienced in the efficiency of their biological systems resulting from temperature changes. Leather tanning consultants have noted the problems experienced with different summer and winter treatment plant designs. The Agency points out that many of the exemplary treatment facilities used as the basis for the limitations are located in Northern climates which experience wide climatic variations, particularly cold weather conditions. Thus, cold weather conditions should and can be recognized in the treatment design; excess capacity can be allowed for winter operation. As stated earlier, the Agency has recognized the problems of the leather industry with regard to the design and operation of transferred technology along with the possible economic impact resulting from this technology. Temperature impacts have been significantly reduced through increases in the proposed limitations along with the variance for small and medium sized tanneries. Therefore, the revised limitations are technically and economically achievable through the application of best practicable control technology without a temperature variance.

(4) The comment was made that biological treatment systems in the leather industry may be designed and operated to provide nitrification in order to meet water quality standards. This may cause a nitrogen interference with the BOD₅

tests and result in an artificially high BOD5 even though the plant is actually meeting more stringent limitations.

The Agency recognizes that nitrification may interfere with BOD5 tests when systems are designed and operated to provide nitrogen removal. Accordingly, that portion of BOD5 attributable to the oxidation of Kjeldahl nitrogen should not be included in the total effluent BOD5. The nutrient requirement for the oxidation of organic materials should be included in the BOD5.

(5) One commenter suggested that disinfection requirements were stringent and should be dictated by water quality standards.

Available information shows waste waters in this industry are frequently high in coliform (indicator organism) bacteria. Disinfection is consequently a necessary adjunct to the effluent limits. However, for economic reasons coliform limits have been omitted from 1977 limitations; 1983 limitations for fecal coliforms are readily achievable by chlorination, ozonation or other possible methods for disinfecting water and have been retained. Water quality standards relate only to the possible need to disinfect to a higher degree than required by the effluent limitations in order to protect in-stream quality.

(6) The comment was made that chrome, nitrogen and oil and grease limitations were unnecessary or too stringent. Large amounts of chrome, nitrogen and oil and grease are frequently associated with leather tanning waste waters. Chrome and oil and grease discharges can be controlled through strict in-plant controls, primary sedimentation and biological treatment. Nitrogen limitations are not required until 1983 when technology should be advanced enough to provide consistent removals. Thus, limitations for chrome and oil and grease can be achieved with best practicable technology and nitrogen limits can be achieved with best available technology.

(7) Concern was expressed that it was misleading to state that there are no exemplary waste treatment plants handling only tannery wastes because there are numerous tannery and combined municipal-tannery treatment systems providing secondary or higher treatment.

The Development Document lists and discusses these plants. Several of these systems will become exemplary systems when both the tannery and treatment system are strictly managed and carefully operated in order to reduce pollutant discharges on a consistent basis. Until strict waste management programs are practiced with the result of high quality effluent there will probably be no exemplary treatment systems in the leather industry.

(8) The comment was made that the guidelines discriminate against users of prefreshed hides.

The limitations do not distinguish prefreshed hides from cured hides because the prefreshed hides contain much less dirt, fat and other pollutants that must otherwise be handled. Thus, the limitations calculated from the weight of pre-

freshed hides received properly allow less pollutants in the discharge.

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

(1) The limitations for BOD5 and TSS have been modified in all subcategories to more accurately reflect a practicable effluent quality. Furthermore, an exemption in the form of less stringent BOD5 and TSS limitations is allowed for small and a few medium sized tanners. Total chromium and oil and grease limitations have also been modified in order to be consistent with revised BOD5 and TSS limitations.

(2) Effluent limitations for fecal coliform bacteria have been deleted from the 1977 best practicable limitations and the new source performance standards.

(3) Section 304(b)(1)(B) of the Act provides for "guidelines" to implement the uniform national standards of section 301(b)(1)(A). Thus Congress recognized that some flexibility was necessary in order to take into account the complexity of the industrial world with respect to the practicability of pollution control technology. In conformity with the Congressional intent and in recognition of the possible failure of these regulations to account for all factors bearing on the practicability of control technology it was concluded that some provision was needed to authorize flexibility in the strict application of the limitations contained in the regulation where required by special circumstances applicable to individual dischargers. Accordingly, a provision allowing flexibility in the application of the limitations representing best practicable control technology currently available has been added to each subpart to account for special circumstances that may not have been adequately accounted for when these regulations were developed.

(c) *Economic impact.* The conclusions of the economic impact study of the proposed regulation were significantly affected by revised industry cost estimates. This impact study showed that some medium sized tanners would now be impacted. In order to minimize economic impact on these tanners, they are allowed additional allocations of BOD5 and TSS. This exemption has resulted in economic conclusions similar to those described in the earlier economic impact study.

(d) *Cost-benefit analysis.* The detrimental effects of the constituents of waste waters now discharged by point sources within the Leather Tanning and Finishing Industry Point Source Category are discussed in Section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the Leather Tanning and Finishing Industry Point Source Category" (February 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 indi-

cated 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, LEATHER TANNING AND FINISHING INDUSTRY" (October, 1973). 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 leather tanning and finishing industry. The Agency believes that the benefits of thus reducing the pollutants discharged justify the associated costs which, though substantial in absolute terms, represent a relatively small percentage of the total capital investment in the industry.

(e) *Solid waste control.* Solid waste control must be considered. The waterborne wastes from the leather tanning and finishing industry may contain a considerable volume of metals in various forms as a part of the suspended solids pollutant. Best practicable control technology and best available control technology as they are known today, require disposal of the pollutants removed from waste waters in this industry in the form of solid wastes and liquid concentrates. In some cases these are non-hazardous substances requiring only minimal custodial care. However, some constituents may be hazardous and may require special consideration. In order to ensure long term protection of the environment from these hazardous or harmful constituents, special consideration of disposal sites must be made. All landfill sites where such hazardous wastes are disposed should be selected so as to prevent horizontal and vertical migration of these contaminants to ground or surface waters. In cases where geologic conditions may not reasonably ensure this, adequate precautions (e.g., impervious liners) should be taken to ensure long term protection to the environment from hazardous materials. Where appropriate the location of solid hazardous materials disposal sites should be permanently recorded in the appropriate office of the legal jurisdiction in which the site is located.

(f) *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

Leather Tanning and Finishing Point Source Category," has been published and is available for purchase from the Government Printing Office, Washington, D.C. 20402 for a nominal fee.

(g) *Final rulemaking.* In consideration of the foregoing, 40 CFR Chapter I, Subchapter N is hereby amended by adding a new Part 425, Leather Tanning and Finishing Industry Point Source Category, to read as set forth below. This final regulation is promulgated as set forth below and shall be effective June 4, 1974.

Dated: March 29, 1974.

JOHN QUARLES,
Acting Administrator.

Subpart A—Hair Pulp Unhairing With Chrome Tanning and Finishing Subcategory

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Subpart B—Hair Save Unhairing With Chrome Tanning and Finishing Subcategory

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- 425.60 Applicability; description of the unhairing with chrome tanning and no finishing subcategory.
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- 425.64 [Reserved]
- 425.65 Standards of performance for new sources.
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AUTHORITY: Secs. 301, 304 (b) and (c), 305 (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.

Subpart A—Hair Pulp Unhairing With Chrome Tanning and Finishing Subcategory

§ 425.10 Applicability; description of the hair pulp unhairing with chrome tanning and finishing subcategory.

The provisions of this subpart are applicable to discharges resulting from the

tanneries which either exclusively or in addition to other unhairing and tanning operations, chrome tan and finish cattle hides after hair pulp unhairing. This subcategory includes the following tannery types: (a) One which chrome tans and finishes cattle hides after removing the hair by the hair pulp technique, (b) one which chrome tans and finishes cattle hides after removing the hair by both the hair pulp and hair save techniques (the latter hair removal operations are independent processes within the same tannery), (c) one which both chrome tans and vegetable tans and finishes cattle hides after removing the hair by both the hair save and hair pulp technique, and (d) one which chrome tans sheep skins after removing the wool.

§ 425.11 Specialized definitions.

For the purpose of this subpart:

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

(b) The term "hide" shall mean any animal pelt or skin as received by a tannery as raw material to be processed.

(c) The term "skin" shall mean hide.

(d) The term "finish" shall mean the final processing steps performed on a tanned hide including, but not limited to, the following wet processes: retan, bleach, color, and fatliquor.

(e) The term "hair pulp" shall mean the removal of hair by means of chemical dissolution.

(f) The term "hair save" shall mean the physical or mechanical removal of hair which has not been chemically dissolved.

(g) The term "chrome tan" shall mean the process of converting hide into leather using a form of chromium.

(h) The term "vegetable tan" shall mean the process of converting hide into leather using chemicals either derived from vegetable matter or synthesized to produce effects similar to those of chemicals, so derived.

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

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State,

if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(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 1 day | Average of daily values for 30 consecutive days shall not exceed |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 8.0 | 4.0 |
| TSS | 10.0 | 5.0 |
| Chroma | 0.20 | 0.10 |
| Oil and grease | 1.50 | 0.75 |
| pH | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 8.0 | 4.0 |
| TSS | 10.0 | 5.0 |
| Chroma | 0.20 | 0.10 |
| Oil and grease | 1.50 | 0.75 |
| pH | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one-half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.13 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 1 day | Average of daily values for 30 consecutive days shall not exceed |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 2.8 | 1.40 |
| TSS | 3.0 | 1.50 |
| Chroma | .1 | .65 |
| Oil and grease | 1.63 | .63 |
| Sulfide | .61 | .625 |
| TKN | .64 | .27 |
| Fecal coliform | Maximum at any time: 400 counts per 100 ml. | |
| pH | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 2.8 | 1.40 |
| TSS | 3.0 | 1.50 |
| Chroma | .1 | .65 |
| Oil and grease | 1.63 | .63 |
| Sulfide | .61 | .625 |
| TKN | .64 | .27 |
| Fecal coliform | Maximum at any time: 400 counts per 100 ml. | |
| pH | Within the range 6.0 to 9.0. | |

§ 425.14 [Reserved]

§ 425.15 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 1 day | Average of daily values for 30 consecutive days shall not exceed |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 8.0 | 4.0 |
| TSS | 10.0 | 5.0 |
| Chroma | .10 | .65 |
| Oil and grease | 1.63 | .63 |
| pH | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 8.0 | 4.0 |
| TSS | 10.0 | 5.0 |
| Chroma | .10 | .65 |
| Oil and grease | 1.63 | .63 |
| pH | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one-half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hide per day.

§ 425.16 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the hair pulp unhairing with chrome tanning and finishing subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter

shall be amended to read as follows: "In addition to the prohibitions set forth in § 128.131 of this chapter, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in § 425.15: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant."

Subpart E—Hair Save Unhairing With Chrome Tanning and Finishing Subcategory

§ 425.20 Applicability; description of the hair save unhairing with chrome tanning and finishing subcategory.

The provisions of this subpart are applicable to discharges resulting from tanneries which chrome tan and finish cattle hides or deer skin after hair save unhairing. This subcategory includes the following tannery types: (a) One which chrome tans and finishes cattle hides after removing the hair by the hair save technique, and (b) one which chrome tans deer skins after removing the hair by the hair save technique.

§ 425.21 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 "hide" shall mean any animal pelt or skin as received by a tannery as raw material to be processed.

(c) The term "skin" shall mean hide.

(d) The term "finish" shall mean the final processing steps performed on a tanned hide including, but not limited to, the following wet processes: retan, bleach, color and fatliquor.

(e) The term "hair save" shall mean the physical or mechanical removal of hair which has not been chemically dissolved.

(f) The term "chrome tan" shall mean the process of converting hide into leather using a form of chromium.

§ 425.22 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 level established. It is, however, possible that data which would affect these limita-

tions 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 9.2 | 4.6 |
| TSS..... | 11.6 | 5.8 |
| Chrome..... | .24 | .12 |
| Oil and grease..... | 1.80 | .90 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 9.2 | 4.6 |
| TSS..... | 11.6 | 5.8 |
| Chrome..... | .24 | .12 |
| Oil and grease..... | 1.80 | .90 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one-half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.23 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 pol-

lutant 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 3.2 | 1.60 |
| TSS..... | 3.6 | 1.80 |
| Chrome..... | .12 | .06 |
| Oil and grease..... | 1.26 | .63 |
| Sulfide..... | .012 | .006 |
| TKN..... | .64 | .32 |
| Fecal coliform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 3.2 | 1.60 |
| TSS..... | 3.6 | 1.80 |
| Chrome..... | .12 | .06 |
| Oil and grease..... | 1.26 | .63 |
| Sulfide..... | .012 | .006 |
| TKN..... | .64 | .32 |
| Fecal coliform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |

§ 425.24 [Reserved]

§ 425.25 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 9.2 | 4.6 |
| TSS..... | 11.6 | 5.8 |
| Chrome..... | .24 | .12 |
| Oil and grease..... | 1.80 | .90 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 9.2 | 4.6 |
| TSS..... | 11.6 | 5.8 |
| Chrome..... | .24 | .12 |
| Oil and grease..... | 1.80 | .90 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one-half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.26 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the hair save unhairing with chrome tanning and finishing subcategory, which is a user of a publicly owned treatment works (and which would be a

new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows: "In addition to the prohibitions set forth in § 128.131 of this chapter the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in § 425.25; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant."

Subpart C—Unhairing With Vegetable or Alum Tanning and Finishing Subcategory

§ 425.30 Applicability; description of the unhairing with vegetable or alum tanning and finishing subcategory.

The provisions of this subpart are applicable to discharges resulting from tanneries which vegetable or alum tan and finish cattle hides after hair pulp or hair save unhairing. This subcategory includes the following tannery types: (a) One which vegetable tans cattle hides after removing the hair by either the hair save or hair pulp technique and (b) one which alum tans cattle hides after removing the hair by either the hair save or hair pulp technique.

§ 425.31 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 "finish" shall mean the final processing steps performed on a tanned hide including, but not limited to, the following wet processes: retan, bleach, color and fatliquor.

(c) The term "hair pulp" shall mean the removal of hair by means of chemical dissolution.

(d) The term "hair save" shall mean the physical or mechanical removal of hair which has not been chemically dissolved.

(e) The term "vegetable tan" shall mean the process of converting hide into leather using chemicals either derived from vegetable matter or synthesized to produce effects similar to those of chemicals so derived.

(f) The term "alum tan" shall mean the process of converting animal skin into leather using a form of aluminum.

(g) The term "hide" shall mean any animal pelt or skin as received by a tannery as raw material to be processed.

(h) The term "skin" shall mean hide.

§ 425.32 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 7.6 | 3.8 |
| TSS..... | 9.6 | 4.8 |
| Chromo..... | .1 | .05 |
| Oil and grease..... | 1.50 | .75 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 7.6 | 3.8 |
| TSS..... | 9.6 | 4.8 |
| Chromo..... | .1 | .05 |
| Oil and grease..... | 1.50 | .75 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one-half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.33 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 2.6 | 1.3 |
| TSS..... | 2.8 | 1.4 |
| Chromo..... | .1 | .05 |
| Oil and grease..... | 1.0 | .50 |
| Sulfide..... | .01 | .005 |
| TKN..... | .5 | .25 |
| Fecal coliform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 2.6 | 1.3 |
| TSS..... | 2.8 | 1.4 |
| Chromo..... | .1 | .05 |
| Oil and grease..... | 1.0 | .50 |
| Sulfide..... | .01 | .005 |
| TKN..... | .5 | .25 |
| Fecal coliform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |

§ 425.34 [Reserved]

§ 425.35 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 7.6 | 3.8 |
| TSS..... | 9.6 | 4.8 |
| Chromo..... | .1 | .05 |
| Oil and grease..... | 1.50 | .75 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 7.6 | 3.8 |
| TSS..... | 9.6 | 4.8 |
| Chromo..... | .1 | .05 |
| Oil and grease..... | 1.50 | .75 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) additional allocations equal to one-half the above effluent limitations

for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.36 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the unhairing with vegetable or alum tanning and finishing subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter except that, for the purpose of this section, § 128.133 of the chapter shall be amended to read as follows: "In addition to the prohibitions set forth in § 128.131 of this chapter, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in § 425.35; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant."

Subpart D—Finishing of Tanned Hides Subcategory

§ 425.40 Applicability; description of the finishing of tanned hides subcategory.

The provisions of this subpart are applicable to discharges resulting from tanneries which finish cattle hides, sheep skins or deer skins that have had the hair removed or wool removed and tanned prior to arrival at the tannery. This section includes the following tannery types: (a) One which finishes previously tanned cattle hides, (b) one which finishes previously tanned sheep skins, (c) one which finishes previously tanned deer skins, and (d) one which finishes previously tanned cattle splits.

§ 425.41 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 "finish" shall mean the final processing steps performed on a tanned hide including, but not limited to, the following wet processes: retan, bleach, color and fatliquor.

(c) The term "hide" shall mean any animal pelt or skin as received by a tannery as raw material to be processed.

(d) The term "skin" shall mean hide.

(e) The term "split" shall mean the nongrain part of a hide which results from a cut parallel to its surface.

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

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

(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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 3.2 | 1.6 |
| TSS..... | 4.0 | 2.0 |
| Chrome..... | .20 | .10 |
| Oil and grease..... | .60 | .25 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 3.2 | 1.6 |
| TSS..... | 4.0 | 2.0 |
| Chrome..... | .20 | .10 |
| Oil and grease..... | .60 | .25 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one-half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.43 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 1.0 | 0.50 |
| TSS..... | 1.2 | .60 |
| Chrome..... | .04 | .02 |
| Oil and grease..... | .48 | .24 |
| Sulfide..... | .004 | .002 |
| TKN..... | .2 | .10 |
| Fecal coliform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 1.0 | 0.50 |
| TSS..... | 1.2 | .60 |
| Chrome..... | .04 | .02 |
| Oil and grease..... | .48 | .24 |
| Sulfide..... | .004 | .002 |
| TKN..... | .2 | .10 |
| Fecal coliform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |

§ 425.44 [Reserved]

§ 425.45 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 3.2 | 1.6 |
| TSS..... | 4.0 | 2.0 |
| Chrome..... | .20 | .10 |
| Oil and grease..... | .60 | .25 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 3.2 | 1.6 |
| TSS..... | 4.0 | 2.0 |
| Chrome..... | .20 | .10 |
| Oil and Grease..... | .60 | .25 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one-half the above effluent limitations

for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.46 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the finishing of tanned hides subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows: "In addition to the prohibitions set forth in § 128.131 of this chapter, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in § 425.45; *Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.*"

Subpart E—Vegetable or Chrome Tanning of Unhaired Hides Subcategory

§ 425.50 Applicability; description of the vegetable or chrome tanning of unhaired hides subcategory.

The provisions of this subpart are applicable to discharges resulting from tanneries which chrome or vegetable tan and finish cattle hides, sheep skins or pig skins that have the hair or wool retained, or hair or wool removed prior to arrival at the tannery. This section includes the following tannery types: (a) One which chrome tans and finishes cattle splits; (b) one which chrome tans and finishes cattle hides which have had hair previously removed; (c) one which vegetable tans and finishes cattle hides which have had hair previously removed; (d) one which vegetable tans and finishes cattle splits; (e) one which chrome tans and finishes pig skins; (f) one which chrome tans and finishes sheep skins which have had wool previously removed; (g) one which vegetable tans and finishes sheep skins which have had wool previously removed; (h) one which both chrome tans and vegetable tans sheep skins which have had wool previously removed; (i) one which chrome tans and finishes sheep skins with the wool retained; and (j) one which vegetable tans and finishes sheep skins with the wool retained.

§ 425.51 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 "hide" shall mean any animal pelt or skin as received by a tannery as raw material to be processed.

(c) The term "skin" shall mean hide.

(d) The term "split" shall mean the nongrain part of a hide which results from a cut parallel to its surface.

(e) The term "finish" shall mean the final processing steps performed on a tanned hide including, but not limited to, the following wet processes: retan, bleach, color and fatliquor.

(f) The term "chrome tan" shall mean the process of converting hides into leather using a form of chromium.

(g) The term "vegetable tan" shall mean the process of converting hide into leather using chemicals either derived from vegetable matter or synthesized to produce effects similar to those of chemicals so derived.

§ 425.52 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 9.6 | 4.8 |
| TSS..... | 12.0 | 6.0 |
| Chromium..... | .12 | .06 |
| Oil and grease..... | 1.89 | .90 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 9.6 | 4.8 |
| TSS..... | 12.0 | 6.0 |
| Chromium..... | .12 | .06 |
| Oil and grease..... | 1.89 | .90 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.53 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 3.2 | 1.6 |
| TSS..... | 3.6 | 1.8 |
| Chromium..... | .12 | .06 |
| Oil and grease..... | 1.23 | .63 |
| Sulfide..... | .012 | .006 |
| TECN..... | .63 | .31 |
| Fecal coliform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 3.2 | 1.6 |
| TSS..... | 3.6 | 1.8 |
| Chromium..... | .12 | .06 |
| Oil and grease..... | 1.23 | .63 |
| Sulfide..... | .012 | .006 |
| TECN..... | .63 | .31 |
| Fecal Cellform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |

§ 425.54 [Reserved]

§ 425.55 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 characteristics | Effluent limitations | |
|--------------------------|---|---|
| | Maximum for any 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 9.6 | 4.8 |
| TSS..... | 12.0 | 6.0 |
| Chromium..... | .12 | .06 |
| Oil and grease..... | 1.89 | .90 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 9.6 | 4.8 |
| TSS..... | 12.0 | 6.0 |
| Chromium..... | .12 | .06 |
| Oil and grease..... | 1.89 | .90 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.56 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the vegetable or chrome tanning of un-haired hides subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows: "In addition to the prohibitions set forth in § 128.131 of this chapter the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in § 425.55: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant."

Subpart F—Unhairing With Chrome Tanning and No Finishing Subcategory

§ 425.60 Applicability; description of the unhairing with chrome tanning and no finishing subcategory.

The provisions of this subpart are applicable to discharges resulting from tanneries which chrome tan after either hair pulp or hair save unhairing, but do not finish. This section includes the following tannery types: (a) One which chrome tans but does not finish cattle hides after removing the hair by the hair pulp technique; (b) one which chrome tans but does not finish cattle hides after

removing the hair by the hair save technique; (c) one which removes hair from cattle hides by the hair pulp technique; and (d) one which removes hair from cattle hides by the hair save technique.

§ 425.61 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 "hide" shall mean any animal pelt or skin as received by a tannery as raw material to be processed.

(c) The term "skin" shall mean hide.

(d) The term "finish" shall mean the final processing steps performed on a tanned hide including, but not limited to, the following wet processes: rean, bleach, color and fatliquor.

(e) The term "hair pulp" shall mean the removal of hair by means of chemical dissolution.

(f) The term "hair save" shall mean the physical or mechanical removal of hair which has not been chemically dissolved.

(g) The term "chrome tan" shall mean the process of converting hides into leather using a form of chromium.

§ 425.62 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 in 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 5.6 | 2.8 |
| TSS..... | 6.8 | 3.4 |
| Chrome..... | .20 | .10 |
| Oil and grease..... | .70 | .35 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 5.6 | 2.8 |
| TSS..... | 6.8 | 3.4 |
| Chrome..... | .20 | .10 |
| Oil and grease..... | .70 | .35 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one-half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.63 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 1.4 | 0.70 |
| TSS..... | 1.6 | .80 |
| Chrome..... | .06 | .03 |
| Oil and grease..... | .63 | .34 |
| Sulfide..... | .006 | .003 |
| TKN..... | .23 | .14 |
| Fecal coliform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 1.4 | 0.70 |
| TSS..... | 1.6 | .80 |
| Chrome..... | .06 | .03 |
| Oil and grease..... | .63 | .34 |
| Sulfide..... | .006 | .003 |
| TKN..... | .23 | .14 |
| Fecal coliform..... | Maximum at any time: 400 counts per 100 ml. | |
| pH..... | Within the range 6.0 to 9.0. | |

§ 425.64 [Reserved]

§ 425.65 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 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| | Metric units (kilograms per 1,000 kg of raw material) | |
| BOD ₅ | 5.6 | 2.8 |
| TSS..... | 6.8 | 3.4 |
| Chrome..... | .20 | .10 |
| Oil and grease..... | .70 | .35 |
| pH..... | Within the range 6.0 to 9.0. | |
| | English units (pounds per 1,000 lb of raw material) | |
| BOD ₅ | 5.6 | 2.8 |
| TSS..... | 6.8 | 3.4 |
| Chrome..... | .20 | .10 |
| Oil and grease..... | .70 | .35 |
| pH..... | Within the range 6.0 to 9.0. | |

(b) Additional allocations equal to one-half the above effluent limitations for BOD₅ and TSS established in paragraph (a) of this section are allowed any point source subject to such effluent limitations with a production less than 17,000 kg hides per day.

§ 425.66 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the unhairing with chrome tanning and no finishing subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows: "In addition to the prohibitions set forth in § 128.131 of this chapter, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in § 425.65: *Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.*"

[FR Doc.74-7891 Filed 4-8-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 425]

LEATHER TANNING AND FINISHING POINT SOURCE CATEGORY

Application of Effluent Limitations Guidelines for Existing Sources to Pretreatment Standards for Incompatible Pollutants

Notice is hereby given pursuant to sections 301, 304 and 307(b) of the Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1311, 1314 and 1317(b); 86 Stat. 816 et seq.; Pub. L. 92-500, that the proposed regulation set forth below concerns the application of effluent limitations guidelines for existing sources to pretreatment standards for incompatible pollutants. The proposal will amend 40 CFR Part 425—Leather Tanning and Finishing 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 guidelines for existing sources and standards of performance and pretreatment standards for new sources within the hair pulp unhairing with chrome tanning and finishing subcategory, hair save unhairing with chrome tanning and finishing subcategory, unhairing with vegetable and alum tanning and finishing subcategory, finishing of tanned hides subcategory, vegetable or chrome tanning of unhairing hides subcategory, and unhairing with chrome tanning and no finishing subcategory of the leather tanning and finishing industry 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 guidelines and standards (40 CFR 425) promulgated simultaneously apply. However, the proposed regulation applies to the introduction of incompatible 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. (See 40 CFR 128.110 (State or local law) and 40 CFR 128.131 (Prohibited wastes) for requirements which may

be applicable to compatible pollutants). Incompatible pollutants are subject to pretreatment standards as provided in 40 CFR 128.133, which provides as follows:

"In addition to the prohibitions set forth in § 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works by a major contributing industry not subject to section 307(c) of the Act shall be, for sources within the corresponding industrial or commercial category, that established by a promulgated effluent limitations guidelines defining best practicable control technology currently available pursuant to sections 301(b) and 304(b) of the Act: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall be correspondingly reduced for that pollutant. *And provided further*, That when the effluent limitations guidelines for each industry is promulgated, a separate provision will be proposed concerning the application of such guidelines to pretreatment."

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 reach 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 425.15, 425.25, 425.35, 425.45, 425.55 and 425.65 of the proposed regulation for point sources within the hair pulp unhairing with chrome tanning and finishing subcategory, hair save unhairing with chrome tanning and finishing subcategory, unhairing with vegetable and alum tanning and finishing subcategory, finishing of tanned hides subcategory, vegetable or chrome tanning of unhairing hides subcategory, and unhairing with chrome tanning and no finishing subcategory, of the leather tanning and finishing industry point sources category (December 7, 1973, 38 FR 33860) contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains §§ 425.16, 425.26,

425.36, 425.46, 425.56 and 425.66 which states 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 Leather Tanning and Finishing Point Source Category" is now being published. The economic analysis report entitled "Economic Analysis of Proposed Effluent Guidelines, Leather Tanning and Finishing Industry". (October, 1973) was made available at the time of proposal. Copies of the preliminary 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. 20460. Copies of the economic analysis report will be available for purchase through the National Technical Information Service, Springfield, Virginia 22151.

On June 14, 1973, the Agency published procedures designed to insure that, when certain major standards, regulations, and guidelines are proposed, an explanation of their basis, purpose and environmental effects is made available to the public (38 FR 15653). The procedures are applicable to major standards, regulations and guidelines which are proposed on or after December 31, 1973, and which either prescribe national standards of environmental quality or require national emission, effluent or performance standards or limitations.

The Agency determined to implement these procedures in order to insure that the public was provided with background information to assist it in commenting on the merits of a proposed action. In brief, the procedures call for the Agency to make public the information available to it delineating the major environmental effects of a proposed action, to discuss the pertinent nonenvironmental factors affecting the decision, and to explain the viable options available to it and the reasons for the option selected.

The procedures contemplate publication of this information in the FEDERAL REGISTER, where this is practicable. They provide, however, that where such publication is impracticable because of the length of these materials, the material may be made available in an alternate format.

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 leather tanning and finishing, 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, and 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 leather products. The two reports exceed, in the aggregate, 100 pages in length and contain a substantial number of charts, diagrams and tables. It is clearly impracticable to publish the material contained in these documents in the FEDERAL REGISTER. 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 leather tanning and finishing category (38 FR 33860; December 7, 1973). 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 425) which currently is being published in the Rules and Regulations section of Part III immediately preceding this document in the FEDERAL REGISTER.

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 hair pulp unhairing with chrome tanning and finishing subcategory, hair save unhairing with chrome tanning and finishing subcategory, unhairing with vegetable or alum tanning and finishing subcategory, finishing of tanned hides subcategory, vegetables or chrome tanning of un-haired hides subcategory, unhairing with chrome tanning and no finishing subcategory, the Agency has, essentially, three options. The first is to declare that the guidelines do not apply. The second is to apply the guidelines unchanged. The third is to modify the guidelines to reflect: (1) Differences between direct dischargers and plants utilizing municipal systems which affect the practicability of the latter employing

the technology available to achieve the effluent limitations guidelines; or (2) characteristics of the relevant pollutants which require higher levels of reduction (or permit less stringent levels) in order to insure that the pollutants do not interfere with the treatment works or pass through them untreated.

As described in the Development Document, the process waste waters from all subcategories of the leather tanning industry are similar in pollutant contents. The pollutants are organic materials, solids, chromium, sulfide and oil and grease. These waste water pollutants, except chromium and oil and grease, are considered to be compatible and the guidelines should not apply. While potential problems could occur from discharges of large quantities of sulfide from the unhairing process, adequate control methods are available to keep significant quantities of these materials out of the waste water.

Chromium and oil and grease are waste water pollutants which would interfere with the operation of publicly owned treatment works, pass through such works untreated or inadequately treated or otherwise be incompatible with such treatment works. The information available to the agency does not indicate differences between plants which discharge directly to navigable waters and those which utilize municipal systems significant enough to warrant varying the effluent limitations. Accordingly, it is the opinion of the EPA that chromium and oil and grease should be treated to the level required by the application of the best practicable control technology currently available.

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 is 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 is 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 425 be amended to add §§ 425.14, 425.24,

425.34, 425.44, 425.54, and 425.64, as set forth below. All comments received on or before May 9, 1974, will be considered.

Dated: March 29, 1974.

JOHN QUARLES,
Acting Administrator.

Part 425 is proposed to be amended as follows:

Subpart A is amended by adding § 425.14 as follows:

§ 425.14 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines except for the pollutants chromium and oil and grease set forth in § 425.12 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for chromium and oil and grease set forth in § 425.12 shall apply.

Subpart B is amended by adding § 425.24 as follows:

§ 425.24 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines except for the pollutants chromium and oil and grease set forth in § 425.22 shall not apply and, subject to the provisions of Part 128 of this section concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for chromium and oil and grease set forth in § 425.22 shall apply.

Subpart C is amended by adding § 425.34 as follows:

§ 425.34 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines except for the pollutants chromium and oil and grease set forth in § 425.32 shall not apply and, subject to the provisions of Part 128 of this section concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for chromium and oil and grease set forth in § 425.32 shall apply.

Subpart D is amended by adding § 425.44 as follows:

§ 425.44 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the

effluent limitations guidelines except for the pollutants chromium and oil and grease set forth in § 425.42 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for chromium and oil and grease set forth in § 425.42 shall apply.

Subpart E is amended by adding § 425.54 as follows:

§ 425.54 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under §128.133 of this chapter, the effluent limitations guidelines except for the pollutants chromium and oil and grease set forth in § 425.52 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory

may be introduced into a publicly owned treatment works. The effluent limitations guidelines for chromium and oil and grease set forth in § 425.52 shall apply.

Subpart F is amended by adding § 425.64 as follows:

§ 425.64 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under §128.133 of this chapter, the effluent limitations guidelines except for the pollutants chromium and oil and grease set forth in § 425.62 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for chromium and oil and grease set forth in § 425.62 shall apply.

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