

Title 40—Protection of the Environment
CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCY
SUBCHAPTER N—EFFLUENT GUIDELINES AND
STANDARDS
PART 429—TIMBER PRODUCTS PROC-
ESSING POINT SOURCE CATEGORY

On January 3, 1974, notice was published in the FEDERAL REGISTER (39 FR 938), 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 barking, veneer, plywood, hardboard-dry process, hardboard-wet process, wood preserving, wood preserving-steam and wood preserving-boultonizing subcategories of the timber products 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 timber products processing category of point sources, by amending 40 CFR Chapter I, Subchapter N, to add a new Part 429. 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 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 barking, veneer, plywood, hardboard-dry process, hardboard-wet process, wood preserving, wood preserving-steam and wood preserving-boultonizing 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 Plywood, Hardboard, and Wood Preserving Segment of the Timber Products Processing Point Source Category" (December 1973) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines, Timber Products Processing Industry (Hardboard, Wood Preserving, Plywood and Veneer)." (August 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 follows.

(a) Summary of comments.

The following responded to the request for written comments contained in the preamble to the proposed regulation: EPA, Region X; EPA, Region VIII; U.S. Water Resources Council; L. D. McFarland Company; American Plywood Association; National Forest Products Association; Koppers Company, Inc.; American Hardboard Association; State of New York Department of Environmental Conservation; Abitibi Corporation, Roaring River, North Carolina; Weyerhaeuser Company; American Wood Preservers Association; Society of American Wood Preservers; Maine Department of Environmental Protection; U.S. Plywood; U.S. Department of Commerce; Washington State Department of Ecology and the U.S. Department of the Interior. 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 those comments.

(1) One commenter indicated that new source performance standards should be no discharge of waste water pollutants for the barking subcategory.

New Source Performance Standards are to be based on the "best available demonstrated control technology, processes, operating methods, or other alternatives." The accomplishment of no discharge from this operation has not been adequately demonstrated. While at least one hydraulic barking operation has achieved almost complete recycle of process water, the system has not been in operation long enough to exhibit the reliability necessary to fulfill the Act's requirements.

(2) Two commenters indicated that the State of Washington is implementing state regulations that result in a more stringent allowable discharge for hydraulic braking operations than presented here.

The limitations presented here are based on a raw waste effluent of about 100 mg/l BOD₅, whereas biological treatment in the State of Washington is usually applied to higher concentration waste waters because of the proximity of other waste water generators, e.g., pulp and paper mills, with higher waste concentrations. Because biological treatment is at least partially concentration dependent, removal efficiency is higher at higher influent concentrations.

(3) Commenters said that the disposal of process waste water into a log pond or mill pond, if available would be a practical method of control.

The regulations promulgated here exclude those facilities that include wet storage and/or handling or part of this normal operating practice. Further data is being developed, and guidelines and standards for these facilities will be established at a later date. For wet storage facilities the disposal of process waste water into a log pond or mill pond is one method of control. It should be noted that the Development Document provides information to show that with reasonable unit operation and process management individual unit operations within the manufacturing process can eliminate the discharge of pollutants, whereas the discharge of pollutants to a pond may result in discharge to navigable waters.

(4) A commenter indicated that it has never been substantiated that log conditioning, veneer dryer washdown and glue equipment clean-up can take place with no discharge of waste water or sludge.

Chapter VII of the Development Document discusses procedures for log conditioning such as indirect steaming, hot water spray systems, and modified steaming. Water requirements for the cleaning of veneer dryers can be reduced significantly by manual preliminary cleaning and the use of air to remove a major part of the waste material. About sixty percent of the plants visited during the development of guidelines and standards have implemented practices that eliminate the discharge of pollutants.

(5) A commenter indicated that recommended control technologies of irrigation, containment, or disposal in a bark incinerator are not the same as zero discharge and seem to indicate that technology does not exist to achieve zero discharge from these operations.

The objective of the Act is eliminate the discharge of pollutants to navigable water if it is achievable under the constraints of BPCTCA, BATEA and/or NSPS. The suggested control techniques do eliminate the discharge of pollutants to navigable waters from specified process waste water flows; even though waste waters are not recycled and must be disposed of, these techniques do eliminate discharges to the navigable waters.

(6) A commenter indicated that "no discharge of waste water pollutants" in some subcategories may be based on requirements of land which is not available to many plants.

In all cases where "no discharge" is specified, the supporting Development Document in Section V presents data showing that the volumes of waste water or sludge either can be eliminated or the amount required to be disposed of is minor (less than 1000 gallons per week). A variety of opportunities for disposal exist. Among these are: Disposal in the hog fuel burner; incorporation into the product; and/or recycling; evaporation; percolation; and disposal in approved landfill facilities, either by the permittee or by contract service.

(7) One comment stated that fire deluge water should be excluded from the regulation presented for the veneer manufacturing subcategory.

Fires are a fairly frequent occurrence in the veneer drying operation and they are, of course, unscheduled. The Agency agrees with this comment and has so modified the regulation. While it was not possible to characterize or quantify this waste water source on a broad based segment of the industry it is acknowledged that it is a potential source of waste water pollutants in the veneer, plywood, and hardboard dry process subcategories and should be considered by the permit issuing authority.

(8) Commenters indicated that the use of ponds and lagoons is not practical in some southern areas and unrealistic when rainfall exceeds evaporation; also, subsurface springs and surface drainage may result in overflow.

Sections VII, IX and XI of the Development Document, describes the use of land disposal techniques for the disposal of waste water. It is appropriate only where the volumes of water requiring disposal are, with reasonable management practices, less than 1000 gallons per week. The use of holding ponds is presented only as an option, not as required technology. The Agency recognizes that this option may not be applicable to all establishments. The use of this option requires judicious water use and good design of water retention facilities and adjacent areas, as well as the control of spills and drainage into holding areas.

(9) Two commenters indicated the cost/benefit analysis method presented is inappropriate because the environmental benefits attributed to such activities are assumed to be commensurate with the cost of compliance.

In establishing as a national goal that the discharge of pollutants into the navigable waters be eliminated by 1985, the Congress made it irrelevant to attempt to quantify total environmental benefits. Accordingly, although costs and associated economic impacts were considered as carefully as possible in arriving at determinations on levels of controls, benefits were primarily expressed as quantities of pollutants removed. As Section IX of the Development Document notes, however, the Agency did consider known health hazards and other environmental damage associated with specific parameters as a factor in selecting the ones to be controlled. It is not possible, however, to quantify specifically these factors.

(10) Comments were received that said, the costs presented in the development document for pollution control activities were unrealistically low, and that operating costs were omitted.

The cost estimates presented in the Development Document were based upon the actual costs of pollution control experienced by the facilities surveyed and upon engineering estimates. All costs were adjusted to 1971 dollars using cost indices. Operating costs were included in the Development Document and were considered in the economic impact study.

(11) Commenters expressed concern that the economic impact study did not consider the costs involved in controlling pollutant discharge from log handling and storage operations.

The regulations promulgated here exclude those facilities that include wet storage and/or handling as part of their normal operating practice. Further data is being developed and guidelines and standards for those facilities will be established at a later date. The impact of implementing the guidelines promulgated here will be considered in the development of future guidelines.

(12) It was reported that costs, as presented in the preamble to the proposed regulation did not accurately reflect the magnitude of actual cost to the dry process hardboard subcategory because they were based on 250 gallons per week.

Fifteen dry process hardboard manufacturing plants were surveyed to determine process water requirements and use, treatment and control technologies and cost information. Although total water use (including cooling water, boiler blowdown, runoff, fire control water) is substantial, the process waste water being controlled is approximately 250 gallons per week. The economic impact study referred to above determined that the implementation of best practicable control technology will result on an annual yearly cost of \$0.02 per thousand square feet. The economic impact study anticipates no plant closures by 1977.

(13) Comments were received that the energy requirements included in some treatment and control technologies will be a significant factor in the current energy "crisis."

In all but the hydraulic barking and possibly the wood preserving—Boultonizing subcategories, the percentage of the total process energy requirements related to pollution control is less than one percent. Hydraulic barking operations are usually already tied into treatment systems so additional energy requirements will be minor. Energy usage is discussed in Section VIII of the Development Document.

(14) It was suggested that an allowance be given for the effect of temperature on the efficiency of a biological system.

The effluent limitations as presented in this regulation are based on performance of treatment systems located in northern latitudes as well as southern latitudes. As a result the effects of temperature are taken into account in developing the limitations and therefore no temperature allowance is necessary.

(15) Commenters noted that a procedure or mechanism for handling situations where a number of different timber products processing operations are conducted at the same location is not addressed.

The approach used to develop the effluent limitations for the segments of the timber products processing industry covered by these regulations was to de-

termine the procedures available to reduce the generation of waste water. It was determined that for some subcategories best practicable control technology, best available technology and/or new source performance standards were no discharge of waste water pollutants to navigable water. A "no discharge of process waste water" limitation does allow a plant to discharge waste water to an available treatment system which might be present where a number of timber products processing operations are conducted; however, no credit will be given for the waste water pollutants attributable to the point source categories included in Part 429 that have a no discharge limitation.

(16) Commenters suggested that "guidelines" should be defined as encompassing a range of numbers rather than a specific number. The use of guidelines should also be interpreted to allow plant managers to select the technical approach best meeting their needs.

The present guidelines take differences within an industry into account through subcategorization, rather than by use of ranges of numbers to be varied at the discretion of the office issuing permits. The 28 industries noted in section 306 of the Act, for example, have already broken some of the broad industrial groups into subgroups such as inorganic chemicals, organic chemicals, petrochemicals, soaps and detergents, fertilizers and rubber. The timber products processing industry has been broken into 8 initial subcategories with 24 sets of limitations. In addition, a second phase of guideline issuance will establish further subcategories. Such division of the industry results in the regulations establishing achievable limitations for all facilities within that subcategory.

(17) Commenters suggested that the use of the "Matrix Method" as proposed by the Effluent Standards and Water Quality Information Advisory Committee would be appropriate for determining effluent guidelines.

The committee's proposal is under evaluation as a contribution toward future refinements on guidelines for some industries. The committee has indicated that their proposed methodology could not be developed in sufficient time to be available for the current phase of guideline promulgation, which is proceeding according to a court-ordered schedule. Its present state of development does not provide sufficient evidence to warrant the Agency's delaying issuance of any standard in hopes that an alternative approach might be preferable.

(18) Comments were received that indicated that definitions were, in some cases, unclear and that the regulations for each subcategory should more clearly define the flows that are subject to the limitations.

The regulation promulgated below contains expanded special definition sections.

(19) A commenter indicated that the guidelines for a wide spectrum of timber

products processing operations are based on insufficient data.

The data collected and analyzed in the development of these effluent guidelines and standards was from over 50 well operated plants in the various subcategories. It is recognized that there are over 1000 plants in this portion of the industry but overall, only a limited number can be considered to be employing good pollution control techniques and data from all plants was not considered in development of these guidelines. The regulations contain provisions which allow the permittee to declare that there are extenuating circumstances that they should be taken into consideration in the issuance of the permit.

(20) A comment indicated that sources of waste water were excluded or omitted when the requirements for manufacture of dry process hardboard were discussed in the development document.

The only source of process waste water, as defined in the regulation and as discussed in Section V of the Development Document, is caul wash water. The specialized definition section for this subcategory clearly defines the process waste water subject to these regulations. The commenter apparently considered such waters as cooling water, blowdown, sanitary waters, runoff from storage areas as subject to the proposed limitations. These waters are excluded from the regulation.

(21) Commenters suggested that the "hypothesized typical plant" for the hardboard manufacturing facility, as presented in the Development Document does not exist; treatment and control technologies presented are not transferable to any or all sets of conditions; and that the economic viability of the "modernizing engineering" required to make existing plants conform to this typical concept was not considered in the proposed effluent limitations and standards.

It was not suggested that a typical plant, as presented in the Development Document does exist. However, the unit operations required to produce a product are similar in each of the subcategories. In cases where significant differences existed, allowances were made. These operations were considered on the basis of water requirements and waste water generation. They are discussed in detail in Sections V and VII of the Development Document. Discussed in Sections IX, X, and XI of the document is the application of waste water treatment and control technologies to the manufacturing operations. The Agency concluded that the effluent quality levels represented by these regulations can be achieved by plants included in a given subcategory without significant adverse economic impact.

(22) One commenter indicated that the technology presented in the preamble to the proposed regulation was inadequate to achieve the phenol level proposed in the wood preserving-steam subcategory.

Section VII of the Development Document discusses these options in detail.

The section of the preamble discussing the subject subcategory did omit a portion of the technologies. Omitted from the preamble was discussion of the "end of pipe" treatment options necessary to achieve BPCTCA levels.

(23) One commenter stated that the preamble to the proposed regulation indicated that waste water from the wood preserving subcategory varies in volume and characteristics, i.e., it cannot be characterized. However, a no discharge of waste water pollutants standard was proposed.

Sections V and VII of the Development Document discuss the volumes of waste water generation and the opportunities for reuse and disposal of this water. As discussed in the document, the volume of water generated and the qualities of this water are such that they can either be reused in the process or can be eliminated. The potential waste water was characterized to the degree necessary to determine that the opportunities available for reuse or disposal would not be interfered with by the waste water's characteristics.

(24) Comments were received that the subcategorization proposed for the wood preserving portion of the industry is not appropriate.

Consideration of the comments received and reevaluation of the information available resulted in adjustments in the definitions of the subcategories and clarifying the inclusion and exclusion of specific wood processing water flows in the regulations.

Applicability sections of the promulgated regulations have been modified, as well as the specialized definition sections.

(25) A verbal comment was received that questioned why the first draft of suggested limitations for the wood preserving segment of the industry included limitations on fluorine, chromium, and arsenic applicable to those plants that treat wood with fluor-chromium-arsenic-phenol solutions but they did not appear in the proposed limitations.

There is not sufficient information available at this time to establish limitations on these parameters. The presence of these pollutants in discharges from the wood preserving-steam subcategory may have an effect on receiving water quality standards and should be considered by permit issuing authorities.

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

(1) Sections 429.11, 429.21, 429.31, 429.41, 429.51, 429.61, 429.71 and 429.81 entitled Specialized Definitions now include specific clarifying statements regarding waters subject to these limitations.

(2) Section 429.70 entitled "Applicability; description of the wood preserving-steam subcategory" was expanded to define more clearly the subcategory. After the regulation was proposed, it was determined that six or seven wood preserv-

ing plants would not fit into any of the categories as initially defined.

(3) The language of the proposed pretreatment regulations for new sources has been modified to eliminate the requirement for new sources discharging to a publicly owned treatment system to meet the promulgated new source performance standard. However, the Agency anticipates that the regulations being proposed concurrently for pretreatment of existing sources will generate information from commenters regarding §§ 429.64, 429.74, and 429.84 that may result in the modification of these new source pretreatment regulations at a future date.

(4) 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 changes to the regulations mentioned above will have no adverse effects on the conclusions of the economic impact study conducted as part of the effluent guidelines development program. In none of the subcategories for which these limitations apply are the regulations more stringent. The clarification of the definitions of process waste waters for the point sources affected by these limitations will decrease significantly the volume of water requiring treatment or disposal. The change therefore will only result with economic impact being less severe.

(d) Cost-benefit analysis.

The detrimental effects of the constituents of waste waters now discharged by point sources within the Plywood, Hardboard and Wood Preserving Segment of the Timber Products Processing point source category are discussed in Section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the Plywood, Hardboard, and Wood Preserving Manufacturing Segment of the Timber Products Processing Point Source Category" (December 1973). 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 Timber Products Processing (Hardboard, Wood Preserving, Plywood & Veneer)" (August 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 Timber Products Processing 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 timber products processing 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 nonhazardous 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

Plywood, Hardboard, and Wood Preserving Segment of the Timber Products Processing Point Source Category," is being published and will soon be available for purchase from the Government Printing Office, Washington, D.C., 20401 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 429, Timber Products Processing Point Source Category, to read as set forth below. This final regulation is promulgated as set forth below and shall be effective May 23, 1974.

Dated: April 3, 1974.

JOHN QUARLES,
Acting Administrator.

Subpart A—Barking Subcategory

- Sec. 429.10 Applicability; description of the barking subcategory.
- 429.11 Specialized definitions.
- 429.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 429.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 429.14 Reserved.
- 429.15 Standards of performance for new sources.
- 429.16 Pretreatment standards for new sources.

Subpart B—Veneer Subcategory

- Sec. 429.20 Applicability; description of the veneer subcategory.
- 429.21 Specialized definitions.
- 429.22 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 429.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 429.24 Reserved.
- 429.25 Standards of performance for new sources.
- 429.26 Pretreatment standards for new sources.

Subpart C—Plywood Subcategory

- Sec. 429.30 Applicability; description of the plywood subcategory.
- 429.31 Specialized definitions.
- 429.32 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 429.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 429.34 Reserved.
- 429.35 Standards of performance for new sources.
- 429.36 Pretreatment standards for new sources.

Subpart D—Hardboard-Dry Process Subcategory

- Sec. 429.40 Applicability; description of the hardboard-dry process subcategory.

- Sec. 429.41 Specialized definitions.
- 429.42 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 429.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 429.44 Reserved.
- 429.45 Standards of performance for new sources.
- 429.46 Pretreatment standards for new sources.

Subpart E—Hardboard-Wet Process Subcategory

- Sec. 429.50 Applicability; description of the hardboard-wet process subcategory.
- 429.51 Specialized definitions.
- 429.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 429.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 429.54 Reserved.
- 429.55 Standards of performance for new sources.
- 429.56 Pretreatment standards for new sources.

Subpart F—Wood Preserving Subcategory

- Sec. 429.60 Applicability; description of the wood preserving subcategory.
- 429.61 Specialized definitions.
- 429.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 429.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 429.64 Reserved.
- 429.65 Standards of performance for new sources.
- 429.66 Pretreatment standards for new sources.

Subpart G—Wood Preserving-Steam Subcategory

- Sec. 429.70 Applicability; description of the wood preserving-steam subcategory.
- 429.71 Specialized definitions.
- 429.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 429.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 429.74 Reserved.
- 429.75 Standards of performance for new sources.
- 429.76 Pretreatment standards for new sources.

Subpart H—Wood Preserving-Boultonizing Subcategory

- Sec. 429.80 Applicability; description of the wood preserving-boultonizing subcategory.
- 429.81 Specialized definitions.

- Sec. 429.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 429.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 429.84 Reserved.
- 429.85 Standards of performance for new sources.
- 429.86 Pretreatment standards for new sources.

Subpart A—Barking Subcategory

§ 429.10 Applicability; description of the barking subcategory.

The provisions of this subpart are applicable to discharges resulting from the barking of logs in preparation for veneer or plywood manufacture.

§ 429.11 Specialized definitions.

For the purpose of this subpart:

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

(b) Hydraulic barkers shall be defined as wood processing equipment that has the function of removing bark from wood by the use of water under a pressure of 68atm (1000 psi) or greater.

(c) The term cu m of production shall mean the cu m of veneer or plywood produced by the manufacturing facility as the end product as determined by a daily production figure or a 30-day production period.

§ 429.12 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 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 Develop-

ment 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:

(a) Subject to the provisions of paragraph (b) of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) The following limitations constitute the maximum permissible discharge for those barking processes which utilize hydraulic barkers:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per cubic meter of product)	
BOD ₅	1.5	0.5
TSS.....	6.9	2.3
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per cubic foot of product)	
BOD ₅	0.09	0.03
TSS.....	.431	0.144
pH.....	Within the range 6.0 to 9.0.	

§ 429.13 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 which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.14 [Reserved]

§ 429.15 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged by a new source which utilizes a hydraulic barker(s) 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 cubic meter of product)	
BOD ₅	1.5	0.5
TSS.....	6.9	2.3
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per cubic foot of product)	
BOD ₅	0.09	0.03
TSS.....	0.431	0.144
pH.....	Within the range 6.0 to 9.0.	

§ 429.16 Pretreatment standards for new sources.

The pretreatment standards for incompatible pollutants under section 307(c) of the Act for a source within the barking subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart B—Veneer Subcategory

§ 429.20 Applicability; description of the veneer subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of veneer by those manufacturing facilities that do not store or hold raw materials in wet storage conditions.

§ 429.21 Specialized definitions.

For the purpose of this subpart:

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

(b) Specifically excluded from the term "process waste water" for this subpart are cooling water, material storage yard runoff (either raw material or processed wood storage), fire control water, and boiler blowdown.

(c) The term "production" shall mean the volume of production in terms of veneer, if that is the final product of that facility, or volume of plywood, if the veneer is further processed into plywood at the same facility.

(d) The term "wet storage" means the holding of unprocessed wood, i.e., logs or round-wood in self contained bodies of water (mill ponds or log ponds) or land storage where water is sprayed or deposited on the wood (wet decking).

§ 429.22 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, de-

velop 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:

(a) Subject to the provisions of paragraphs (b), and (c) of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) The following limitations constitute the maximum permissible discharge for softwood veneer manufacturing processes which use direct steaming for the conditioning of logs:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per cubic meter of product)	
BOD ₅	0.72	0.24
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per cubic foot of product)	
BOD ₅	0.045	0.015
pH.....	Within the range 6.0 to 9.0.	

(c) The following limitations constitute the maximum permissible discharge for hardwood veneer manufacturing processes which use direct steaming for the conditioning of logs:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per cubic meter of product)	
BOD ₅	1.62	0.54
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per cubic foot of product)	
BOD ₅	0.10	0.034
pH.....	Within the range 6.0 to 9.0.	

§ 429.23 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 pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.24 [Reserved]

§ 429.25 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.26 Pretreatment standards for new sources.

The pretreatment standards for incompatible pollutants under section 307(c) of the Act for a source within the veneer subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 123, except for § 128.133. Subject to the provisions of 40 CFR Part 123, process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart C—Plywood Subcategory

§ 429.30 Applicability; description of the plywood subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of plywood by those manufacturing facilities that do not store or hold raw materials in wet storage conditions.

§ 429.31 Specialized definitions.

For the purpose of this subpart:

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

(b) Specifically excluded from the term "process waste water" for this subpart are cooling water, material storage yard runoff (either raw material or processed wood storage) and boiler blow-down.

(c) The term "wet storage" means the holding of unprocessed wood, i.e., logs or round wood, in self-contained bodies of water (mill ponds or log ponds) or level storage where water is sprayed or deposited on the wood (wet decking).

§ 429.32 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.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after applica-

tion of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.33 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 which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.34 [Reserved]

§ 429.35 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.36 Pretreatment standards for new sources.

The pretreatment standards for incompatible pollutants under section 307(c) of the Act for a source within the plywood subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart D—Hardboard-Dry Process Subcategory

§ 429.40 Applicability; description of the hardboard-dry process subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of hardboard using the dry matting process for forming the board mat.

§ 429.41 Specialized definitions.

For the purpose of this subpart:

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

(b) Specifically excluded from the term "process waste water" for this subpart are cooling water, material storage yard runoff (either raw material or processed wood storage), fire control water, and boiler blowdown.

§ 429.42 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 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 which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.43 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 which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.44 Reserved.

§ 429.45 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.46 Pretreatment standards for new sources.

The pretreatment standards for incompatible pollutants under section 307(c) of the Act for a source within the hardboard—dry process subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart E—Hardboard-Wet Process

§ 429.50 Applicability; description of the hardboard-wet process subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of hardboard using the wet matting process for forming the board mat.

§ 429.51 Specialized definitions.

For the purpose of this subpart:

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

(b) Specifically excluded from the term "process waste water" from this subpart are cooling water, material storage yard runoff (either raw material or processed wood storage), and boiler blowdown.

§ 429.52 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.

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 (kilogram per 1,000 kg of product)	
BOD ₅	7.8	2.6
TSS.....	16.5	5.5
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per 2,000 lb of product)	
BOD ₅	15.6	5.2
TSS.....	33.0	11.0
pH.....	Within the range 6.0 to 9.0.	

§ 429.53 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 product)	
BOD ₅	2.7	0.9
TSS.....	3.3	1.1
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per 2,000 lb of product)	
BOD ₅	5.4	1.8
TSS.....	6.6	2.2
pH.....	Within the range 6.0 to 9.0.	

§ 429.54 [Reserved].

§ 429.55 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 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD ₅	2.7	0.9
TSS.....	3.3	1.1
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per 2,000 lb of product)	
BOD ₅	5.4	1.8
TSS.....	6.6	2.2
pH.....	Within the range 6.0 to 9.0.	

§ 429.56 Pretreatment standards for new sources.

The pretreatment standards for incompatible pollutants under section 307(c) of the Act for a source within the hardboard—wet process subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart F—Wood Preserving Subcategory

§ 429.60 Applicability; description of the wood preserving subcategory.

The provisions of this subpart are applicable to discharges resulting from all wood preserving processes in which steaming or baultonizing is not the predominant method of conditioning, all non-pressure preserving processes, and all pressure or non-pressure processes employing water-borne salts in which steaming or vapor drying is not the predominant method of conditioning.

§ 429.61 Specialized definitions.

For the purpose of this subpart:
 (a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.
 (b) Specifically excluded from the term "process waste water" for this subpart are cooling water, material storage yard runoff (either raw material or processed wood storage) and boiler blowdown.

§ 429.62 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 es-

tablished. 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 related 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 discharged 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 which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.63 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 which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.64 [Reserved]

§ 429.65 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.66 Pretreatment standards for new sources.

The pretreatment standards for incompatible pollutants under section 307

(c) of the Act for a source within the wood preserving subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart G—Wood Preserving-Steam Subcategory

§ 429.70 Applicability; description of the wood preserving-steam subcategory.

The provisions of this subpart are applicable to discharges resulting from wood preserving processes that use direct steam impingement on the wood as the method of conditioning, discharges resulting from wood preserving processes that use vapor drying as a means of conditioning any portion of their stock, discharges that result from direct steam conditioning wood preserving processes that use fluor-chromium-arsenic-phenol treating solutions (FCAP), discharges resulting from direct steam conditioning processes and procedures where the same retort is used to treat with both salt-type and oil type preservatives, and discharges from plants which direct steam condition and apply both salt type and oil type treatments to the same stock.

§ 429.71 Specialized definitions.

For the purpose of this subpart:

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

(b) Specifically excluded from the term "process waste water" for this subpart are cooling water, material storage yard runoff (either raw material or processed wood storage), and boiler blow-down.

§ 429.72 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 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 cer-

tain 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 1 day	Average of daily values for 30 consecutive days shall not exceed
	Metric units (kilograms per 1,000 m ³ of product)	
COD.....	1,100	550
Phenols.....	2.18	.65
Oil and grease.....	24.0	12.0
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 ft ³ of product)	
COD.....	68.5	34.5
Phenols.....	.14	.04
Oil and grease.....	1.5	.75
pH.....	Within the range 6.0 to 9.0.	

§ 429.73 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 m ³ of product)	
COD.....	220	110
Phenols.....	.21	.064
Oil and grease.....	6.9	3.4
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 ft ³ of product)	
COD.....	13.7	6.9
Phenols.....	.014	.004
Oil and grease.....	.42	.21
pH.....	Within the range 6.0 to 9.0.	

§ 429.74 [Reserved]

§ 429.75 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 1 day	Average of daily values for 30 consecutive days shall not exceed
	Metric units (kilograms per 1,000 m ³ of product)	
COD.....	220	110
Phenols.....	.21	.064
Oil and grease.....	6.9	3.4
pH.....	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 ft ³ of product)	
COD.....	13.7	6.9
Phenols.....	.014	.004
Oil and grease.....	.42	.21
pH.....	Within the range 6.0 to 9.0.	

§ 429.76 Pretreatment standards for new sources.

The pretreatment standards for incompatible pollutants under section 307 (c) of the Act for a source within the wood preserving—steam subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart H—Wood Preserving-Boultonizing Subcategory

§ 429.80 Applicability; description of the wood preserving-boultonizing subcategory.

The provisions of this subpart are applicable to discharges resulting from

wood preserving processes which use the boultonizing process as the method of conditioning.

§ 429.81 Specialized definitions.

For the purpose of this subpart:

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

(b) Specifically excluded from the term "process waste water" for this subpart are cooling water, boiler blowdown, and material storage yard runoff (either raw material or processed wood storage).

§ 429.82 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: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.83 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 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: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.84 [Reserved]

§ 429.85 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants into navigable waters.

§ 429.86 Pretreatment standards for new sources.

The pretreatment standards for incompatible pollutants under section 307 (c) of the Act for a source within the wood preserving-boultonizing subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

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