

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 331-8]

PRETREATMENT STANDARDS

On May 28, 1974; March 20, 1974; March 21, 1974; June 26, 1974; January 31, 1974; March 20, 1974; February 20, 1974; February 14, 1974; April 25, 1974; April 12, 1974; February 14, 1974; February 26, 1974; May 29, 1974; May 9, 1974 and February 28, 1974, notices were published in the proposed rules section of the FEDERAL REGISTER (39 FR 18610, 39 FR 15019, 39 FR 10869, 39 FR 23154, 39 FR 4039, 39 FR 10527, 39 FR 6595, 39 FR 5709, 39 FR 14684, 39 FR 13394, 39 FR 5720, 39 FR 7534, 39 FR 6666, 39 FR 16582, and 39 FR 7907 respectively), that the Environmental Protection Agency (EPA or Agency) was proposing regulations concerning the application of effluent limitations guidelines for existing sources to pretreatment standards.

The purpose of this notice is to establish final pretreatment standards for selected subcategories of existing sources within the dairy products processing industry point source category (40 CFR Part 405); grain mills point source category (40 CFR Part 406); canned and preserved fruits and vegetables processing point source category (40 CFR Part 407); canned and preserved seafood processing point source category (40 CFR Part 408); beet sugar processing point source subcategory (40 CFR Part 409); liquid and crystalline cane sugar refining subcategory (40 CFR Part 409); cement manufacturing point source category (40 CFR Part 411); feedlots point source category (40 CFR Part 412); organic chemicals manufacturing point source category (40 CFR Part 414); soap and detergent manufacturing point source category (40 CFR Part 417); glass manufacturing point source categories (40 CFR Part 426); asbestos manufacturing point source category (40 CFR Part 427); pulp, paper and paperboard point source category (40 CFR Part 430); builders paper and roofing felt segment of the builders paper and board mills point source category (40 CFR Part 431); and the meat products point source category (40 CFR Part 432) which discharge to publicly owned treatment works.

Pending further study, final pretreatment standards for existing sources for the following industrial subcategories will be promulgated by the Agency in the near future: In the organic chemicals manufacturing point source category (40 CFR Part 414), product-process subcategory groups C2 (phenol and acetone-cumene process), C3 (bisphenol A), and C4 (p-cresol); in the soap and detergent manufacturing point source category (40 CFR Part 417), manufacture of spray dried detergents, manufacture of liquid detergents, manufacture of detergents by dry blending, and manufacture of drum dried detergents sub-

categories; and in the glass manufacturing point source categories (40 CFR Part 426), automotive glass laminating and float glass manufacturing subcategories.

This final rulemaking is promulgated pursuant to section 307(b) of The Federal Water Pollution Control Act, as amended (The Act); 33 U.S.C. 1317(b); 86 Stat. 816 et seq.; Public Law 92-500. This regulation is intended to be complementary to the general regulation for pretreatment standards set forth in 40 CFR 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 general pretreatment standard considers pollutants discharged by users of publicly owned treatment works in the two broad categories compatible and incompatible. Compatible pollutants generally are not subject to Federal pretreatment standards; however 40 CFR 128.131 (prohibited wastes) may be applicable to compatible pollutants. Additionally, local pretreatment requirements may apply (see 40 CFR 128.110). Incompatible pollutants generally are subject to pretreatment pursuant to 40 CFR Part 128.

Operators of publicly owned treatment works and other interested persons should refer to the Federal Guidelines: Pretreatment of Pollutants Introduced into Publicly Owned Treatment Works, published Oct. 1973 pursuant to section 304(f) of the Act, for guidance as to local pretreatment requirements and to provide supplementary information on pretreatment.

Interested persons were invited to participate in the proposed rulemaking by submitting written comments within 30 days from the date of publication of the notices. 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. EPA has considered carefully all of the comments received and a discussion of these comments with the agencies response thereto follows:

(A) SUMMARY OF COMMENTS

The following responded to one or more of the requests for written comments contained in the preambles to the proposed regulations: Great Western Sugar Company; National Independent Meat Packers Association; American Meat Institute; The Soap and Detergent Association; Rohm and Haas Company; and the Metropolitan Sanitary District of Greater Chicago. Each of the comments received was carefully reviewed and analyzed. A summary of the significant comments and the Agency's response to those comments for each of the industries follows.

DAIRY PRODUCTS PROCESSING INDUSTRY POINT SOURCE CATEGORY (40 CFR PART 405)

(1) A commenter indicated that high concentrations of BOD₅ in the two whey subcategories may upset treatment works.

Difficulty may be experienced in maintaining normal treatment efficiencies without special operational procedures when the BOD₅ concentration attributable to whey becomes extremely high. This is especially true when there is not sufficient equalization present to prevent shock loading. Thus, it may be that there are situations where whey may not be amenable to treatment depending on the relative quality and quantity of influent to the municipal system and the design and operating characteristics of the publicly owned treatment works. Any discharger whose waste causes an upset or interferes with the operation or performance of the works shall be in violation of the prohibited wastes section (§ 128.131) of the general pretreatment regulation (40 CFR Part 128).

GRAIN MILLS POINT SOURCE CATEGORY (40 CFR PART 406)

(2) No comments were received concerning this industry.

CANNED AND PRESERVED FRUITS AND VEGETABLES PROCESSING POINT SOURCE CATEGORY (40 CFR PART 407)

(3) One commenter advised the Agency that this is a seasonal industry which results in peak loading of treatment works.

The operator of publicly owned treatment works is advised that peak loading or slugging of the treatment facility is possible. All precautions must be taken to prevent this type of discharge from upsetting the treatment works. Any discharger whose waste causes an upset or interferes with the operation or performance of the works shall be in violation of the prohibited wastes section (§ 128.131) of the general pretreatment regulation (40 CFR Part 128).

CANNED AND PRESERVED SEAFOOD PROCESSING POINT SOURCE CATEGORY (40 CFR PART 408)

(4) One commenter indicated that excessive discharges of oil and grease may pass through or interfere with the operation of a publicly owned treatment works.

Oil and grease, particularly from animal and vegetable sources, can be treated by biological techniques in a properly operated municipal treatment plant. Excessive discharges of oil and grease which would upset or interfere with the operation or performance of such publicly owned treatment works would be in violation of the prohibited wastes section (128.131) of the general pretreatment regulation (40 CFR 128).

BEET SUGAR PROCESSING POINT SOURCE SUBCATEGORY (40 CFR PART 409)

(5) A comment was received concerning the temperature parameter for this industry.

The discharges from the beet sugar industry generally range between 55-65°C. If a facility discharges to a municipal treatment works, dilution and heat losses in the interceptor system will normally prevent these discharges from adversely affecting the treatment works. During

cold weather these warm discharges can actually prove beneficial to the biological systems in the treatment plant.

(6) Several commenters had no objections to the pretreatment standards for existing sources proposed.

LIQUID AND CRYSTALLINE CANE SUGAR REFINING SUBCATEGORY (40 CFR PART 409)

(7) One commenter expressed concern regarding the extremely high concentrations of BOD5 and TSS in the filter cake slurry waste water.

Although the filter cake slurry waste water stream is considered to be highly amenable to treatment, the extremely high concentrations of BOD5 and TSS therein could, in some cases, interfere with the operation of publicly owned treatment works. These special situations should be controlled by the operators of the treatment works involved. Such control should not pose undue difficulty since the highly concentrated waste can be dry handled and disposed of as solid waste by the publicly owned treatment works. Any discharger whose waste causes an upset or interferes with the operation or performance of the publicly owned treatment works shall be in violation of the prohibited wastes section (128.131) of the general pretreatment regulation (40 CFR 128).

CEMENT MANUFACTURING POINT SOURCE CATEGORY (40 CFR PART 411)

(8) A comment was received concerning the temperature parameter for this industry.

Heat losses and dilution in the interceptor systems will generally effectively reduce any thermal discharges from these plants. Those discharges which may reach a treatment facility at a slightly higher than ambient temperature will enhance the biological activity in the treatment works. This is a highly desirable effect during cold weather.

FEEDLOTS POINT SOURCE CATEGORY (40 CFR PART 412)

(9) No comments were received.

ORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY (40 CFR PART 414)

(10) Some commenters indicated that there may be other pollutants in the waste water from this industry besides BOD5, TSS and pH.

The Agency is aware that the waste water from this industry is composed of many varied and complex compounds. The operators of municipal treatment works are warned that though these wastes are usually organic in nature, caution should be exercised in treating these waste waters to assure that they do not interfere with the operation or performance of the publicly owned treatment works.

SOAP AND DETERGENT MANUFACTURING POINT SOURCE CATEGORY (40 CFR PART 417)

(11) Several commenters expressed their belief that the oil and grease discharged by this industry is amenable to

treatment in publicly owned treatment works.

The Agency concurs that the oils and greases of animal or vegetable origin can be treated in a properly operated publicly owned treatment works. Excessive discharges of oil and grease may upset or interfere with the operation or performance of the publicly owned treatment works. Such excessive discharges would be in violation of the prohibited wastes section (§ 128.131) of the general pretreatment regulation (40 CFR Part 128).

GLASS MANUFACTURING POINT SOURCE CATEGORIES (40 CFR PART 426)

(12) No comments were received concerning the subcategories being considered for promulgation.

ASBESTOS MANUFACTURING POINT SOURCE CATEGORY (40 CFR PART 427)

(13) One commenter was concerned with the disposal of sludges containing asbestos fibers.

Waste from this industry category can contain large amounts of asbestos fibers. These wastes should not be introduced into (1) publicly-owned treatment works whose effluents could affect a potable water supply or (2) publicly-owned treatment works that dispose of sludges without adequate safeguards to prevent land migration of contaminants to ground or surface waters. Sites should be selected that have natural soil and geographical conditions to prevent such contamination or, if such conditions do not exist, artificial means (e.g. liners) must be provided to insure long-term protection. Where such control is not provided for sludges containing significant quantities of asbestos fibers, they should be excluded from the municipal sludge and disposed of separately under controlled conditions.

PULP, PAPER AND PAPERBOARD POINT SOURCE CATEGORY (40 CFR PART 430)

(14) No comments were received.

BUILDERS PAPER AND ROOFING FELT SEGMENT OF THE BUILDERS PAPER AND BOARD MILLS POINT SOURCE CATEGORY (40 CFR PART 341)

(15) Several comments were received questioning the necessity of a settleable solids limitation in addition to a suspended solids limitation.

Settleable solids are those suspended solids which settle out in one hour or less. Since this type of solids is present in all municipal and domestic wastes, they are readily treated in the primary units of a municipal treatment facility and therefore no limitation is established for this parameter in this regulation. The necessity of both a suspended solids and a settleable solids limitation is aimed primarily at direct dischargers to prevent the build-up of delta like formations in navigable waters at the point of discharge. Any discharger whose waste causes an upset or interferes with the operation or performance of the publicly owned treatment works shall be in violation of the prohibited wastes sec-

tion (§ 128.131) of the general pretreatment regulation (40 CFR Part 128).

MEAT PRODUCTS POINT SOURCE CATEGORY (40 CFR PART 432)

(16) Several commenters indicated that excessive discharges of oil and grease may pass through or interfere with the operation of a publicly owned treatment works.

Oil and grease, particularly of animal and vegetable origin, can be treated by biological techniques in a publicly owned treatment works. Operators are warned that excessive discharges of oil and grease which would upset or interfere with the operation or performance of a publicly owned treatment works would be in violation of the prohibited waste section (§ 28.131) of the general pretreatment regulation (40 CFR Part 128).

(B) REVISION OF THE PROPOSED REGULATION PRIOR TO PROMULGATION

No substantive changes have been made from the proposed regulations except the format has been changed for clarification of the pretreatment standards.

(C) FINAL RULEMAKING

In consideration of the foregoing, 40 CFR Chapter I, Subchapter N is hereby amended by adding to Part 405, dairy products processing industry point source category, §§ 405.14, 405.24, 405.34, 405.44, 405.54, 405.64, 405.74, 405.84, 405.94, 405.104, 405.144, 405.124; Part 406; grain mills point source category, §§ 406.14, 406.24, 406.34, 406.44, 406.54, 406.64; Part 407, canned and preserved fruits and vegetables processing point source category, §§ 407.14, 407.24, 407.34, 407.44, 407.54; Part 408, canned and preserved seafood processing point source category, §§ 408.14, 408.24, 408.34, 408.44, 408.54, 408.64, 408.74, 408.84, 408.94, 408.104, 408.114, 408.124, 408.134, 408.144; Part 409, beet sugar processing point source subcategory, § 409.14; Part 409, Liquid and crystalline cane sugar refining subcategory, §§ 409.24, 409.34; Part 411, cement manufacturing point source category, §§ 411.14, 411.24, 411.34; 412, feedlots point source category, §§ 412.14, 412.24; Part 414, organic chemicals manufacturing point source category, §§ 414.14, 414.24, 414.34; Part 417, soap and detergent manufacturing point source category, §§ 417.14, 417.24, 417.34, 417.44, 417.54, 417.64, 417.74, 417.84, 417.94, 417.104, 417.114, 417.124, 417.134, 417.144, 417.194; Part 426, glass manufacturing point source categories, §§ 426.24, 426.34, 426.44, 426.64; Part 427, asbestos manufacturing point source category, §§ 427.14, 427.24, 427.34, 427.44, 427.54, 427.64, 427.74; Part 430, pulp, paper and paperboard point source category, §§ 430.14, 430.24, 430.34, 430.44, 430.54; Part 431, builders paper and roofing felt segment of the builders paper and board mills point source category, § 431.14; Part 432, meat products point source category, §§ 432.14, 432.24, 432.34, and 432.44 to read as set forth below. This final regulation is promulgated as set forth below and shall be effective March 13, 1975.

Part 409 is amended as follows:

1. Subpart B is amended by adding § 409.24 as follows:

§ 409.24 Pretreatment standards for existing sources.

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

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

2. Subpart C is amended by adding § 409.34 as follows:

§ 409.34 Pretreatment standards for existing sources.

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

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

PART 411—CEMENT MANUFACTURING POINT SOURCE CATEGORY

The table of contents is amended by adding the following new sections to the indicated subparts:

Subpart A—Nonleaching Subcategory

Sec. 411.14 Pretreatment standards for existing sources.

Subpart B—Leaching Subcategory

411.24 Pretreatment standards for existing sources.

Subpart C—Materials Storage Piles Runoff Subcategory

Sec. 411.34 Pretreatment standards for existing sources.

Part 411 is amended as follows:

1. Subpart A is amended by adding § 411.14 as follows:

§ 411.14 Pretreatment standards for existing sources.

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

Pollutant or pollutant property:	Pretreatment standard
pH	No limitation.
Temperature (heat)	Do.
TSS	Do.

2. Subpart B is amended by adding § 411.24 as follows:

§ 411.24 Pretreatment standards for existing sources.

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

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

3. Subpart C is amended by adding § 411.34 as follows:

§ 411.34 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the materials storage piles runoff subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an

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

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

PART 412—FEEDLOTS POINT SOURCE CATEGORY

The table of contents is amended by adding the following sections to the indicated subparts:

Subpart A—All Subcategories Except Ducks

Sec. 412.14 Pretreatment standards for existing sources.

Subpart B—Ducks Subcategory

412.24 Pretreatment standards for existing sources.

Part 412 is amended as follows:

1. Subpart A is amended by adding § 412.14 as follows:

§ 412.14 Pretreatment standards for existing sources.

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

Pollutant or pollutant property:	Pretreatment standard
Fecal coliform	No limitation.
BOD ₅	Do.

2. Subpart B is amended by adding § 412.24 as follows:

§ 412.24 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the ducks subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth