

**ENVIRONMENTAL PROTECTION
AGENCY**
40 CFR Parts 403 and 420
[FRL 2550-4]
**Iron and Steel Manufacturing Point
Source Category Effluent Limitations
Guidelines, Pretreatment Standards,
and New Source Performance
Standards; and General Pretreatment
Regulations**
AGENCY: Environmental Protection
Agency (EPA).

ACTION: Final regulation.

SUMMARY: EPA is promulgating modifications to the regulation which limits effluent discharges to waters of the United States and the introduction of pollutants into publicly owned treatment works from facilities engaged in manufacturing iron and steel. EPA agreed to propose these modifications in a Settlement Agreement which resolved the various lawsuits brought against EPA by the steel industry and the Natural Resources Defense Council, Inc., challenging the final iron and steel industry regulation promulgated by EPA on May 27 1982, 47 FR 23258. This promulgation satisfies EPA's obligations under that Settlement Agreement.

The modifications include: (1) An amendment to the "water bubble" rule; (2) certain modifications of the effluent limitations guidelines for "best practicable control technology currently available" (BPT); "best available technology economically achievable" (BAT); "best conventional pollutant control technology" (BCT); and, "new source performance standards" (NSPS) for direct dischargers; and (3) certain modifications to the pretreatment standards for new and existing indirect dischargers (PSES and PSNS). In addition, EPA agreed to publish additional preamble language regarding the steel industry regulation. The Agency is also promulgating an amendment to the General Pretreatment Regulations (40 CFR Part 403) which permits reclassification of non-contact cooling water flows contaminated with significant quantities of pollutants from "dilute" to "unregulated" for purposes of the combined waste stream formula contained in 40 CFR § 403.6(e).

DATES: This regulation shall become effective on July 2, 1984.

The compliance date for the BAT regulations is as soon as possible, but in any event, no later than July 1, 1984. The compliance date for new source performance standards (NSPS) and pretreatment standards for new sources

(PSNS) is the date the new source begins operations. The compliance date for pretreatment standards for existing sources (PSES) is July 10, 1985.

Under Section 509(b)(1) of the Clean Water Act, judicial review of this regulation can be made only by filing a petition for review in the United States Court of Appeals within 90 days after the regulation is considered issued for purposes of judicial review. Under Section 509(b)(2) of the Clean Water Act, the requirements in this regulation may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements. In accordance with 40 CFR 100.01 (45 FR 26048), this regulation shall be considered issued for purposes of judicial review at 1:00 p.m. eastern time on May 31, 1984.

ADDRESSES: Mr. Ernst P. Hall, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, Attention EGD Docket Clerk, Proposed Iron and Steel Rules (WH-552).

The supporting information and all comments on this regulation are available for inspection and copying at the EPA Public Information Reference Unit, Room 2922 (EPA Library). The EPA information regulation provides that a reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Amendola, Senior Iron and Steel Industry Specialist, (216) 835-5200.

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 - A. 40 CFR Part 403
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I. Legal Authority

The regulation described in this notice is promulgated under authority of sections 301, 304, 306, 307 and 501 of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1251 et seq., as amended by the Clean Water Act of 1977 P.L. 92-517).

II. Background
A. Prior Regulation

On January 7 1981, EPA proposed a regulation to establish Best Practicable Control Technology Currently Available (BPT), Best Available Technology Economically Achievable (BAT), and Best Conventional Pollutant Control Technology (BCT) effluent limitations guidelines and New Source Performance Standards (NSPS), Pretreatment Standards for Existing Sources (PSES), and Pretreatment Standards for New Sources (PSNS) for the iron and steel manufacturing point source category (steel industry), 46 FR 1858. EPA promulgated that steel industry regulation on May 27 1982, 47 FR 23258. The preamble to the final steel industry regulation describes the history of the rulemaking action.

B. Challenges to the Prior Regulation

After publication of the steel industry regulation, certain members of the steel industry, the American Iron and Steel Institute, and the Natural Resources Defense Council, Inc., filed petitions to review the regulation. Those challenges were consolidated into one lawsuit by the Third Circuit Court of Appeals. (*National Steel Corp. v. EPA*, No. 82-3225 and Consolidated Cases).

C. Settlement Agreement

(1) *Agreement to Modifications and Changes.* On February 24, 1983, the parties in the consolidated lawsuits entered into a comprehensive Settlement Agreement which resolved all issues related to the steel industry regulation raised by the petitioners. As a result of that Settlement Agreement, the United States Court of Appeal issued an order on March 9, 1983 which stayed briefing in the law suits. In the Settlement Agreement, EPA agreed to

publish a notice of proposed rulemaking and to solicit comments regarding certain modifications to the final steel industry regulation. In addition, EPA agreed to publish an amendment as an interim final rule. EPA also agreed to publish proposed additions to the preamble to the regulation. The petitioners agreed that, if, after EPA has taken final action under the Settlement Agreement, each individual provision of the final steel industry regulation and each addition to the preamble is substantially the same as, and does not alter the meaning of, language set forth in the settlement agreement, the petitioners will dismiss the various lawsuits challenging the final steel industry regulation. Petitioners also agreed that, pending completion of this rulemaking, they would abide by the regulatory language described in the Settlement Agreement.

EPA also agreed to take final action on a proposed amendment to the general pretreatment regulations (40 CFR Part 403) which would allow reclassification of non-contact cooling waters contaminated with significant quantities of pollutants from "dilute" to "unregulated" for purposes of the combined waste stream formula to 40 CFR 403.6(e).

(2) *Stay of Certain Effluent Limitations.* As part of the Settlement Agreement, the parties jointly requested the United States Court of Appeals for the Third Circuit in *National Steel Corp. v. EPA*, to stay the effectiveness of certain sections of 40 CFR Part 420 pending final action by EPA on each respective modification or addition. Copies of the Settlement Agreement were promptly sent to EPA Regional Offices and State NPDES permit issuing authorities after it was executed. On March 9, 1983, the Court entered an order staying those sections of the regulation promulgated on May 27, 1982 which EPA proposed to amend.

All limitations and standards contained in the final steel industry regulation published in May 27, 1982 which are not specifically listed in the attached proposed regulation were not stayed by the order entered by the court. EPA is not deleting or modifying any of those limitations and standards in this notice.

III. Response to Public Comments

The Agency received twelve (12) letters containing comments on the proposed regulation published on October 14, 1983. All of the comments received are supportive of the proposed changes to the steel industry regulation originally promulgated on May 27, 1982, and also supportive of the proposed

modification of § 403.6(e) of the General Pretreatment Regulation. A comment from petitioner American Iron and Steel Institute (AISI) indicated that it spoke for and on behalf of its members.

Independently of the Settlement Agreement, two commenters recommended that the clarifying language added to the preamble to the steel industry regulation for four pretreatment issues (See section V A), be extended to all industrial point source categories. One commenter recommended that EPA delete the words " * * * or could have been * * * " from subpart (c) of the dilution flow (Fd) definition in the combined waste stream formula in the general pretreatment regulation. EPA is now reviewing the propriety of making complementary amendments to the general pretreatment regulation for the pretreatment issues, and, is also reviewing the definition of dilution flows (Fd).

IV. Modifications to the Iron and Steel Manufacturing Point Source Category Regulation

EPA is making the following changes to the steel industry regulation:

A. *Alternative Effluent Limitations (Water Bubble) (§ 420.03)*

The amendments to the water bubble rule for the iron and steel manufacturing point source category regulation provide that the alternative effluent limitations established under the water bubble must result in a decrease in the discharge of traded pollutants from the amount allowed by the generally applicable limitations. The water bubble rule established by the final regulation published on May 27, 1982, provided that there could be no increase in the discharge of pollutants beyond that allowed by the generally applicable limitations. The preamble amendments presented below describe the revisions to the water bubble rule. The following preamble language is substantially the same as the language in the Settlement Agreement.

As part of the settlement, EPA is amending its bubble rule for the steel industry. As originally promulgated, the rule provided that a discharger could qualify for alternative effluent limitations as long as its discharge from a combination of outfalls met certain requirements (water quality standards) and restrictions and would not exceed the total mass of each pollutant otherwise allowed under the regulation. Under the revised rule being promulgated today, a discharger would have to meet the same requirements and restrictions, but would qualify for alternative effluent limitations only if it achieves a net reduction from the total mass of each traded pollutant.

The amended regulation provides that the permit issuing authority must determine an "appropriate net reduction amount" in each case. In making that determination, it is intended that the permit writer will examine historical discharge levels and seek to achieve those reductions that are attainable at a facility through good engineering practices, improved operations and supervision of existing treatment systems or other feasible modifications, e.g., non-process flow segregation or chemical addition, if they can be achieved without requiring significant additional expenditures. It is intended that in reviewing opportunities for appropriate reductions, the permit writer will require only those measures which result in non-trivial (substantial) effluent reductions and which will not require significant additional expenditures.

The minimum net reduction in all cases for each pollutant traded is to be the amount specified in the regulation. The amount is expressed in terms of percentages of the amount by which a discharger proposes to exceed the otherwise applicable effluent limitations established in this regulation. The amounts the Agency is specifying in this rule are approximately 15 percent for TSS and O&G and approximately 10 percent for all other traded pollutants.

In the simplest case, for example, a discharger might propose to exceed the allowable limitation for TSS on Outfall A by 100 pounds and then make up the amount on Outfall B by reducing its allowable discharge by 100 pounds. The net reduction provision would require that, at a minimum, the allowable discharge for Outfall B (or any other outfall which the discharger has included in the bubble trade) be reduced by approximately 115 pounds. In making a determination of the "appropriate net reduction amount," the permit writer will require further, non-trivial (substantial) reductions only if he determines that they can be achieved without significant additional expenditures.

This amendment results from settlement of litigation among several parties with significantly divergent views of the water bubble rule. This provision does not represent the Agency view on whether it is either a legally required condition of a bubble rule under the Clean Water Act or any other environmental statute or required as a matter of policy, nor shall it be taken as an indicator of what the Agency may or may not require in any other regulations establishing effluent limitations guidelines under the Clean Water Act.

In reaching this accord, the parties do not imply any changes in their positions. In the interest of avoiding protracted litigation and of expediting the installation of pollution controls for this industry, the parties have reached an overall settlement of many issues that they view as beneficial. In that context, the parties have agreed to resolve their differences with this settlement.

B. *Calculation of Mass-Based Pretreatment Standards*

The effluent limitations guidelines, new source performance standards and

pretreatment standards for existing and new sources established in 40 CFR Part 420 (iron and steel manufacturing point source category) are "mass-based" limitations and standards. These mass-based limitations and standards establish the maximum amount of a pollutant which may be discharged per 1,000 pounds of product. The Agency's NPDES permit regulations, 40 CFR 122.45(b)(2), establish a method for deriving the applicable product basis for applying the effluent limitations and standards for direct dischargers. However, neither the General Pretreatment Regulations (40 CFR Part 403) nor the steel industry pretreatment standards (40 CFR Part 420) presently contain a comparable method for deriving the production basis for those who discharge wastewaters to publicly owned treatment works (POTWs).

In accordance with the Settlement Agreement, the Agency is promulgating a regulation which establishes the method for calculating the applicable mass-based pretreatment standard. This regulation, in large measure, mirrors the existing regulation by which mass-based effluent limitations for direct dischargers are calculated.

C. Removal Credits for Phenols (4AAP) (§ 420.06)

EPA is promulgating § 420.06 which specifies that pretreatment removal credits for phenols (4AAP) may be granted when phenols (4AAP) is used as an indicator or surrogate pollutant. Under the general pretreatment regulations, a categorical pretreatment standard may be revised to reflect removal of indicator or surrogate pollutants if the standard specifies that such revisions are permissible (40 CFR 403.7(a)). The final regulation published on May 27 1982, did not specify that removal credits could be granted for phenols (4AAP). The Agency believes that the biological treatment systems employed at publicly owned treatment works will, in large measure, remove those pollutants for which phenols (4AAP) is used as an indicator pollutant to the same degree as they remove phenols (4AAP). Accordingly, EPA is revising the steel industry regulation to provide that removal credits may be granted for phenols (4AAP).

The following preamble language is substantially the same as the language in the Settlement Agreement.

Removal allowances pursuant to 40 CFR 403.7(a)(1) may be granted for phenols (4AAP) limited in 40 CFR Part 420 when used as an indicator or surrogate pollutant. Of course, when phenols (4AAP) are not used as an indicator or surrogate pollutant, removal allowances may also be granted.

D. Subparts B and C—Sintering and Ironmaking Subcategories

The modified BAT, NSPS, PSES, and PSNS ironmaking and sintering limitations and standards for lead and zinc are slightly higher than those contained in the final steel industry regulation published on May 27 1982. After promulgating the final regulation, EPA learned that the final limitations for ironmaking operations (blast furnaces) were based in part upon data obtained at a plant with treatment operations more extensive than the EPA model treatment system. Therefore, these data may not be an appropriate basis for the limitations and standards. The limitations and standards promulgated today are based upon data obtained from steelmaking operations using the applicable BAT model treatment system. The model treatment systems used to develop the limitations and standards for steelmaking operations are the same as those considered for sintering and ironmaking operations. Because wastewaters from steelmaking operations are similar in character and treatability to wastewaters from sintering and ironmaking operations with respect to toxic metal pollutants, the Agency believes that it is appropriate to rely upon that data in promulgating modified lead and zinc limitations and standards for sintering and ironmaking operations. Volume I of Development Document (EPA 440/1-82/024, May 1982, pages 13, 18, 19, 27, 31, 34, 35, 40, 41, 46, 51, 55, 59, 63, 64, 66-68, and 409-427) contains the relevant data relating to steelmaking operations.

EPA is modifying the BAT limitations and PSES for total cyanide and establishing a new segment for existing indirect blast furnace dischargers that contain standards which are the same as the generally applicable PSES except that the promulgated ammonia-N and phenols (4AAP) standards are less stringent. These standards are only applicable to the two existing iron blast furnace operations which discharge their wastewater into POTWs. These operations are located in Chicago, Illinois and discharge their wastewater into the Metropolitan Sanitary District system. Compliance with the cyanide BAT limitations and PSES could be accomplished through the use of wastewater treatment technologies other than the model BAT and PSES alkaline chlorination technology. The changes would, accordingly, give the industry added flexibility. EPA is not, however, promulgating any changes to the BAT limitations and pretreatment standards (except as noted above for existing indirect dischargers) for

ammonia-N and phenols (4AAP) contained in the final regulation.

E. 301(g) Water Quality Variance for Ammonia-N and Phenols (4AAP)

The availability of variances from the BAT limitations for non-toxic nonconventional pollutants as allowed under section 301(g) of the Clean Water Act can significantly affect the cost of compliance for a discharger. Section 301(g) variances can, however, only be granted in cases where the granting of the variance will not interfere with attainment of existing water quality standards. Certain parties to the Settlement Agreement have sought a clarification regarding the availability of section 301(g) variances for steel industry discharges. The following preamble language is substantially the same as the language in the Settlement Agreement.

The BPT referred to in section 301(g) of the Clean Water Act is either (a) the requirement applicable to the facility as a result of the BPT limitation contained in the steel industry regulation, or (b) the requirement applicable to a facility as a result of the BPT limitation contained in the steel industry regulation which is or may be modified after February 24, 1983 by a fundamentally different factors ("FDF") variance, (40 CFR 125.31), or the net/gross provisions of the NPDES permit regulations (40 CFR 122.63(h)). Section 301(g) variances may be granted for ammonia-N discharges from blast furnaces and from sinter plants when sinter plant wastewaters are treated with blast furnace wastewaters. Section 301(g) variances may also be granted for phenols (4AAP) discharges from blast furnaces and from sinter plants when sinter plant wastewaters are treated with blast furnace wastewaters if the applicant discharging phenols performs appropriate analyses (e.g., GC or GC/MS) of the effluent which demonstrate that the effluent does not contain significant amounts of toxic pollutants. Of course, no variance may be granted pursuant to section 301(g) unless the demonstration called for by that section has been made.

F Blast Furnace Flow: Related Safety Issue

The following preamble language is substantially the same as the language in the Settlement Agreement.

It has been brought to the Agency's attention that one facility contends that it may encounter a safety problem related to the maintenance of gas seal pressures resulting from efforts to reduce its blast furnace flows to those contemplated by the EPA model. Such a safety related flow problem may result in difficulty in meeting blast furnace mass limitations at the facility. Safety related issues were not raised prior to promulgation of the effluent limitations guidelines and were, therefore, not considered by the Agency in the rulemaking.

The Agency has not received any information that this may be a problem at any other facility. If it appears that there is a safety problem at that particular site related to flow reduction (or the total cost of compliance with the BAT requirements, including the cost of remedying the safety problem, is substantially greater than the EPA model treatment system cost estimate) then either or both of those circumstances may be an appropriate basis for a FDF variance for that facility. Any application for such a variance shall be in accordance with and satisfy the requirements of 40 CFR Part 125 Subpart D.

G. Subpart I—Acid Pickling Subcategory, Sulfuric and Hydrochloric Acid Pickling Segments

In accordance with the settlement agreement, the BPT and BAT limitations and NSPS, PSES, and PSNS for zinc promulgated in this regulation are slightly higher than those contained in the regulation promulgated on May 27 1982.

H. Subpart J—Cold Forming Subcategory, Cold Worked Pipe and Tube Segments

The regulation promulgated on May 27 1982, limited all cold worked pipe and tube operations to zero discharge at each level of treatment (BPT, BAT, NSPS, PSES, PSNS, and BCT). The model treatment system relied upon by the Agency as the basis for those limitations and standards includes recycle of the oil or water solution and, when appropriate, contract hauling of a small oil solution blowdown. This regulation permits nominal discharges of the spent oil or water solution (rather than contract hauling), and also specifies that appropriate limitations and standards for process wastewaters which are not regulated by the prior regulation are to be developed on a case-by-case basis. The effluent limitations and standards for cold worked pipe and tube operations are based upon the cold rolling model treatment systems and a model flow rate of 5 gallons per ton.

I. Subpart L—Hot Coating Subcategory

This regulation contains modified effluent limitations and standards for zinc. These limitations and standards are based upon the same effluent concentration as are the zinc limitations and standards for acid pickling operations (0.20 mg/l). This regulation contains a provision requiring that hot coating treatment facilities presently achieving zinc discharge levels more stringent than the limitations and standards continue to do so. This regulation also provides that the limitations may be used as a basis for determining alternative limitations

under 40 CFR 420.03 (water bubble rule) even for those facilities presently achieving discharge levels more stringent than the limitations and standards.

V Amendments to the Preamble to the Regulation

A. Pretreatment Issues

(1) Flow Monitoring for Combined Wastestream Formula. The following preamble language is substantially the same as the language in the Settlement Agreement.

Under § 403.12(b)(4) of the General Pretreatment Regulations, a facility must monitor the flow of regulated process streams and other streams "as necessary" to allow use of the Combined Wastestream Formula. A facility must monitor the flows of its regulated streams. However, a facility can avoid monitoring its other streams (unregulated and dilute) under this section by agreeing to meet a mass limitation at least as stringent as the one which would be calculated under the Combined Wastestream Formula if these other streams were taken into consideration. An integrated iron and steel facility combining regulated process streams with either unregulated or dilute streams, or both, can avoid monitoring the flows of those streams if it agrees to meet the mass limit calculated solely through use of the limits applicable to the regulated streams. Such a limit would be as stringent as any which could possibly be derived under the formula if either the unregulated or dilute streams, or both, were taken into consideration. If, however, the facility desires to take into account potential pollutants contained in these unregulated or dilute streams, monitoring of these streams will be required to enable calculation of the alternative limit under the formula.

It should be noted that it is an entirely different matter where concentration-based rather than mass-based limits are involved. A facility cannot, for example, avoid monitoring unregulated or dilute streams by agreeing to meet the concentration limit applicable to its regulated streams. This is because application of the formula could result in a more stringent concentration-based limit if the unregulated or dilute streams were taken into consideration.

(2) Monitoring Data for Temporarily Closed Plants. The following preamble language is substantially the same as the language in the Settlement Agreement.

The pretreatment regulations should be construed to establish that temporarily closed plants are required to submit a baseline monitoring report if recommencement of discharge is expected, but need not include the monitoring information unless the plant wants to submit historical data and this is acceptable to the Control Authority. Monitoring data should be submitted within a reasonable time after reopening the plant. For

those plants that are operating at a reduced rate of production, a complete baseline monitoring report is required. The report should include monitoring data based upon the present average rate of production. If the plant calculates its limits through use of the Combined Wastestream Formula, it will be necessary to inform the Control Authority of any significant change in the values used to calculate this limit. See 40 CFR 403.6(e) (1982).

(3) Flow Estimates for Combined Wastestream Formula. The following preamble language is substantially the same as the language in the Settlement Agreement.

Flows from integrated facilities can be estimated when it is difficult or nearly impossible to monitor the flows to achieve an actual reading. 40 CFR 403.12(b)(4) (1982) lists the flow measurement requirements, and states in part that "the Control Authority may allow for verifiable estimates of these flows [regulated streams and other streams necessary to allow use of the Combined Wastestream Formula] where justified by cost or feasibility considerations."

(4) Mass-Based and Concentration-Based Pretreatment Standards. The following preamble language is substantially the same as the language in the Settlement Agreement.

If an integrated plant is required to comply with a categorical pretreatment standard expressed only in mass-based limits and with another categorical pretreatment standard expressed only in concentration-based limits, a mass-based limit should be applied to the combined flow. To accomplish this under the formula, the concentration limit may be converted to a mass limit by multiplying the concentration limit by the average or other appropriate flow of the regulated stream to which that limit applies.

B. Central Treatment

The following preamble language is substantially the same as the language in the Settlement Agreement.

Industry petitioners believe that they are entitled to obtain a FDF variance under 40 CFR Part 125 subpart D for an individual process (a) where the removal costs are wholly out of proportion to the removal costs considered during development of the national limits, or (b) where other factors solely related to that individual process would result in a non-water quality environmental impact (including energy requirements) fundamentally more adverse than the impact considered during development of the national limits, even though EPA may have considered such costs or such other factors in making its determination pursuant to 40 CFR 420.01(b). EPA does not concede that petitioners' contention is a correct interpretation of

applicable law, but does agree that the discussion in the preamble (47 FR 23267 (Column 3) (May 27, 1982)) was not intended to preclude this contention.

VI. Modification to the General Pretreatment Regulation, ⁶ 403.6(e)

In the combined wastestream formula, the term "dilution stream" is defined to include boiler blowdown and non-contact cooling water streams, among others. However, in certain circumstances (e.g., where recycled cooling water is treated with algaecides) non-contact cooling water or boiler blowdown could contain significant concentrations of regulated pollutants. The Agency today is refining the meaning of dilution stream to address this situation. Where non-contact cooling water or a boiler blowdown stream contains a significant amount of a pollutant, and an industrial user combines this wastewater with its regulated process wastestream(s) prior to treatment, resulting in a substantial reduction of that particular pollutant, the Control Authority is authorized to exercise its discretion to classify this stream as either a dilution or an unregulated stream. The term "Control Authority" refers either to the POTW if it has an approved pretreatment program, or to the Approval Authority (EPA or the NPDES State) if the POTW has no approved program.

Before the Control Authority can exercise its discretion to classify such a stream, the industrial user must provide engineering, production, and sampling and analysis information sufficient to allow a determination by the Control Authority on how the stream should be classified.

VII. Environmental Impact of the Modifications to the Steel Industry Regulation

EPA's estimates of the industry-wide direct discharges of toxic metals and total cyanide under the steel industry regulation promulgated on May 27 1982 and this regulation are presented below. Volume I of the Development Document contains a compilation of estimated industry-wide discharges on a subcategory specific basis. The estimated discharges of other pollutants limited by the steel industry regulation promulgated on May 27 1982 are the same under this regulation. These estimates do not take into account the change in the water bubble rule which would result in a decrease in the amount of pollutants discharged at those facilities using the rule.

PRIOR REGULATION (MAY 27 1982)

[Discharge in tons per year]			
	Untreated wastewaters	BPT	BAT
Toxic Metals	121,900	462	273
Total Cyanide	17,000	431	96

THIS REGULATION

[Discharge in tons per year]			
	Untreated wastewaters	BPT	BAT
Toxic Metals	121,900	468	280
Total Cyanide	17,000	431	100

VIII. Executive Order 12291

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. The Agency previously prepared such an analysis regarding the May 27 1982 final steel industry regulation. Today's regulation is not major because it does not fall within the criteria for major regulations established in Executive Order 12291.

IX. Regulatory Flexibility Analysis

Under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, EPA must prepare a Regulatory Flexibility Analysis for all proposed regulations that have a significant impact on a substantial number of small entities. In the preamble to the May 27 1982 final steel industry regulation, the Agency concluded that there would not be a significant impact on any segment of the regulated population, large or small. For that reason, the Agency determined that a formal regulatory flexibility analysis was not required. That conclusion is equally applicable to this regulation. The Agency has not, therefore prepared a formal analysis for this regulation.

X. OMB Review

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection at Room M2404, U.S. EPA, 401 M Street SW., Washington, D.C. 20460 from 9:00 a.m. to 4:00 p.m. Monday through Friday, excluding Federal holidays.

XI. List of Subjects:

A. 40 CFR Part 403: Confidential business information, reporting and recordkeeping requirements, waste treatment and disposal, water pollution control.

B. 40 CFR Part 420: Iron, steel, water pollution control, wastewater treatment and disposal.

Dated: April 27, 1984.

William D. Ruckelshaus,
Administrator.

For the reasons set out in the preamble, EPA is amending 40 CFR Part 420 as follows:

PART 420—[AMENDED]

1. The authority citation for Part 420 reads as follows:

Authority: Sections 301; 304 (b), (c), (e), and (g); 306 (b) and (c); 307; 308 and 501 of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972, as amended by the Clean Water Act of 1977) (the "Act"); 33 U.S.C. 1311; 1314 (b), (c), (o), and (g); 1316 (b) and (c); 1317; 1318; and 1361; 86 Stat. 816; Pub. L. 92-500; 91 Stat. 1567; Pub. L. 95-217.

2. By revising § 420.03 to read as follows:

§ 420.03 Alternative effluent limitations representing the degree of effluent reduction attainable by the application of best practicable control technology currently available, best available technology, and best conventional technology.

(a) Except as provided in paragraphs (b)(1) through (b)(3) of this section, any existing point source subject to this part may qualify for alternative effluent limitations to those specified in Part 420, Subparts A through L for a number of its processes representing the degree of effluent reduction attainable by the application of best practicable control technology currently available, best available technology economically achievable, and best conventional technology. The alternative effluent limitations for each pollutant are determined for a combination of outfalls by totaling the mass limitations of each pollutant allowed under subparts A through L and subtracting from each total an appropriate net reduction amount. The permit authority shall determine an appropriate net reduction amount for each pollutant traded based upon consideration of additional available control measures which would result in non-trivial (substantial) effluent reductions and which can be achieved without requiring significant additional expenditures at any outfall(s) in the combination for which the discharge is projected to be better than required by this regulation.

(b) In the case of Total Suspended Solids (TSS) and Oil and Grease (O&G), the minimum net reduction amount shall be approximately 15 percent of the amount(s) by which any waste stream(s)

in the combination will exceed otherwise allowable effluent limitations. For all other traded pollutants, the minimum net reduction amount shall be approximately 10 percent of the amount(s) by which the discharges from any waste stream(s) in the combination will exceed otherwise allowable effluent limitations for each pollutant under this regulation.

(1) A discharger cannot qualify for alternative effluent limitations if the application of such alternative effluent limitations would result in violation of any applicable State water quality standards.

(2) Each outfall from which process wastewaters are discharged must have specific, fixed effluent limitations for each pollutant limited by the applicable Subparts A through L.

(3) Subcategory-Specific Restrictions:

(i) There shall be no alternate effluent limitations for cokemaking process wastewaters;

(ii) There shall be no alternate effluent limitations for cold forming process wastewaters.

3. By adding a new § 420.04 as follows:

§ 420.04 Calculation of pretreatment standards.

(a) Pretreatment standards shall be calculated for each operation using the applicable average rate of production reported by the owner or operator of the facility to the Control Authority in accordance with 40 CFR 403.12(b)(3).

(b) The average rate of production reported by the owner or operator in accordance with 40 CFR 403.12(b)(3) shall be based not upon the design production capacity but rather upon a reasonable measure of actual production of the facility, such as the production during the high month of the previous year, or the monthly average for the highest of the previous 5 years. For new sources of new dischargers, actual production shall be estimated using projected production.

(c) If, due to a change of circumstances, the average rate of production for an operation reported by the owner or operator of the facility to the Control Authority in accordance with 40 CFR 403.12(b)(3) does not represent a reasonable measure of actual production of that operation, the owner or operator must submit to the Control Authority a modified average rate production.

4. By adding a new § 420.06 to read as follows:

§ 420.06 Removal credits for phenols (4AAP).

Removal allowances pursuant to 40 CFR 403.7(a)(1) may be granted for phenols (4AAP) limited in 40 CFR Part 420 when used as an indicator or surrogate pollutant.

5. The table in § 420.23 is amended by revising the entries for cyanide, lead, and zinc as follows:

§ 420.23 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

SUBPART B		
Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Cyanide ¹	0.00300	0.00150
Lead	0.000451	0.000150
Zinc	0.000676	0.000225

6. The table in § 420.24 is amended by revising the entries for lead and zinc as follows:

§ 420.24 New source performance standards (NSPS).

SUBPART B		
Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Lead	0.000451	0.000150
Zinc	0.000676	0.000225

7. The table in § 420.25 is amended by revising the entries for cyanide, lead and zinc as follows:

§ 420.25 Pretreatment standards for existing sources (PSES).

SUBPART B		
Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Cyanide ¹	0.00300	0.00150
Lead	0.000451	0.000150
Zinc	0.000676	0.000225

The table in § 420.26 is amended by revising the entries for lead and zinc as follows:

§ 420.26 Pretreatment standards for new sources (PSNS).

SUBPART B		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Lead	0.000451	0.000150
Zinc	0.000676	0.000225

9. By adding a new paragraph (c) to § 420.31 as follows:

§ 420.31 Specialized Definitions

(c) The term "existing indirect dischargers" means only those two iron blast furnace operations with discharges to publicly owned treatment works prior to May 27 1982.

10. The table in paragraph (a) of § 420.33 is amended by revising the entries for cyanide, lead, and zinc as follows:

§ 420.33 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

(a) * * *

SUBPART C

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Cyanide.....	0.00175	0.000876
Lead.....	0.000263	0.0000876
Zinc.....	0.000394	0.000131

* * * * *

11. The table in paragraph (a) of § 420.34 is amended by revising the entries for lead and zinc as follows:

§ 420.34 New source performance standards (NSPS).

(a) * * *

SUBPART C

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Lead.....	0.000263	0.0000876
Zinc.....	0.000394	0.000131

* * * * *

12. The table in paragraph (a) of § 420.35 is amended by revising the entries for cyanide, lead, and zinc as follows:

§ 420.35 Pretreatment standards for existing sources (PSES).

(a) * * *

SUBPART C

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Cyanide.....	0.00175	0.000876
Lead.....	0.000263	0.0000876
Zinc.....	0.000394	0.000131

* * * * *

13. By adding a new paragraph (c) to § 420.35 as follows:

§ 420.35 Pretreatment standards for existing sources (PSES).

* * * * *

(c) Existing indirect dischargers.

SUBPART C

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Ammonia-N.....	0.0350	0.0175
Cyanide.....	0.00175	0.000876
Phenols (4AAP).....	0.000175	0.0000584
Lead.....	0.000263	0.0000876
Zinc.....	0.000394	0.000131

14. The table in paragraph (a) of § 420.36 is amended by revising the entries for lead and zinc as follows:

§ 420.36 Pretreatment standards for new sources (PSNS).

* * * * *

(a) * * *

SUBPART C

Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Lead.....	0.000263	0.0000876
Zinc.....	0.000394	0.000131

* * * * *

15. Section 420.92 is amended by revising the entry for zinc in the tables in paragraphs (a)(1) through (a)(5) and (b)(1) through (b)(5) as follows:

§ 420.92 Effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

* * * * *

(a) * * *
(1) * * *

SUBPART I

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000701	0.000234

SUBPART I—Continued

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000225	0.0000751

(2) * * *

SUBPART I

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000451	0.000150

(3) * * *

SUBPART I

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.00125	0.000417

(4) * * *

SUBPART I

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.00125	0.000417

(5) * * *

SUBPART I

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc	0.0491	0.0164

* * * * *

(b) * * *

(1) * * *

SUBPART I

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Zinc	0.00123	0.000403

* * * * *

(2) * * *

SUBPART I

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Zinc	0.000701	0.000234

* * * * *

(3) * * *

SUBPART I

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Zinc	0.00255	0.000851

* * * * *

(4) * * *

SUBPART I

Pollutant or pollutant property	EPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc	0.0431	0.0164

* * * * *

(5) * *

SUBPART I

Pollutant or pollutant property	EPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc	0.337	0.103

* * * * *

16. Section 420.93 is amended by revising the entry for zinc in the tables in paragraphs (a)(1) through (a)(5) and (b)(1) through (b)(5) as follows:

§ 420.93 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

* * * * *

(a) * * *

(1) * * *

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Zinc	0.000701	0.000234

(2) * * *

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Zinc	0.00225	0.000751

(3) * * *

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Zinc	0.000451	0.000150

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Zinc	0.00125	0.000417

(5) * * *

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc	0.0431	0.0164

* * * * *

(b) * * *

(1) * * *

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Zinc	0.00123	0.000403

(2) * * *

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000701	0.000234

(3) * * *

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.00255	0.000851

(4) * * *

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc.....	0.0491	0.0164

(5) * * *

SUBPART I

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc.....	0.327	0.109

17 Section 420.94 is amended by revising the entry for zinc in the tables in paragraphs (a)(1) through (a)(5) and (b)(1) through (b)(4) as follows:

§ 420.94 New source performance standards (NSPS).

(a) * * *
(1) * * *

SUBPART I

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000125	0.0000417

* * * * *
(2) * * *

SUBPART I

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.0000751	0.0000250

* * * * *
(3) * * *

SUBPART I

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000100	0.0000334

* * * * *
(4) * * *

SUBPART I

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000175	0.0000584

* * * * *
(5) * * *

SUBPART I

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc.....	0.0491	0.0164

* * * * *
(b) * * *
(1) * * *

SUBPART I

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of products	
Zinc.....	0.000150	0.0000501

* * * * *
(2) * * *

SUBPART I

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000100	0.0000334

* * * * *
(3) * * *

SUBPART I

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000275	0.0000318

* * * * *
(4) * * *

SUBPART I

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc.....	0.0491	0.0164

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.03125	0.002417

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.00255	0.000651

18. Section 420.95 is amended by revising the entry for zinc in the tables in paragraphs (a)(1) through (a)(5) and (b)(1) through (b)(5) as follows:

§ 420.95 Pretreatment standards for existing sources (PSES).

* * * * *
(a) * * *
(1) * *

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.000701	0.000234

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/day	
Zinc.....	0.0491	0.0164

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc.....	0.0431	0.0164

(2) * *

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.000225	0.0000751

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.03123	0.002403

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc.....	0.327	0.109

(3) * *

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.000451	0.000150

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.030701	0.002224

SUBPART I

Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.000125	0.0000417

(4) * *

SUBPART I

Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.03123	0.002403

(a) * * *
(1)

SUBPART I

Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/Kg (pounds per 1,000 lb) of product	
Zinc.....	0.000125	0.0000417

20. Section 420.96 is amended by revising the entry for zinc in the tables in paragraphs (a)(1) through (a)(5) and (b)(1) through (b)(4) and adding a note at the end of the table in paragraph (a)(5) as follows:

§ 420.96 Pretreatment standards for new sources (PSNS).

(a) * * *
(1)

(2) * * *

SUBPART I		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.0000751	0.0000250

(3) * * *

SUBPART I		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000100	0.0000334

(4) * * *

SUBPART I		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000175	0.0000584

(5) * * *

SUBPART I		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilogram per day	
Zinc.....	0.0491	0.0164

NOTE.—The above limitations are applicable to each fume scrubber associated with sulfuric acid pickling operations.

(b) * * *

(1) * * *

SUBPART I

Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000150	0.0000501

(2) * * *

SUBPART I

Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000100	0.0000334

(3) * * *

SUBPART I

Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
Zinc.....	0.000275	0.0000918

(4) * * *

SUBPART I

Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc.....	0.0491	0.0164

20. By redesignating the existing text of § 420.100 as paragraph (a) and to add new paragraph (b) as follows:

§ 420.100 Applicability; description of the cold forming subcategory.

(a) * * *

(b) The limitations and standards set out below for cold worked pipe and tube operations shall be applicable only where cold worked pipe and tube wastewaters are discharged at steel

plant sites. No limitations are applicable or allowable where these wastewaters are hauled off-site for disposal or are otherwise not discharged at steel plant sites. The limitations and standards set out below for cold worked pipe and tube operations shall be applicable only to the blowdown of soluble oil or water solutions used in cold worked pipe and tube forming operations. Limitations for other wastewater sources from these operations must be established on a site-specific basis.

21. By revising § 420.102(b) (1) and (2) as follows:

§ 420.102 Effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

* * * * *

- (b) Cold worked pipe and tube.
- (1) Using water.

SUBPART J

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
TSS.....	0.00125	0.000620
O&G.....	0.000522	0.000209
Chromium ¹	0.0000209	0.000084
Lead.....	0.0000094	0.0000031
Nickel ¹	0.0000188	0.0000063
Zinc.....	0.0000063	0.0000021
pH.....	(²)	(²)

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming wastewaters are treated with descaling or combination acid pickling wastewaters.
² Within the range of 6.0 to 9.0.

(2) Using oil solutions.

SUBPART J

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kkg (pounds per 1,000 lb) of product	
TSS.....	0.00125	0.000620
O&G.....	0.000522	0.000209
Chromium ¹	0.0000209	0.000084
Lead.....	0.0000094	0.0000031
Nickel ¹	0.0000183	0.0000063
Zinc.....	0.0000063	0.0000021
Naphthalene.....	0.0000021
Tetrachloroethylene.....	0.0000031
pH.....	(²)	(²)

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming wastewaters are treated with descaling or combination acid pickling wastewaters.
² Within the range of 6.0 to 9.0.

22. By revising § 420.103(b) (1) and (2) as follows:

§ 420.103 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

* * * * *
(b) Cold worked pipe and tube.
(1) Using water.

SUBPART J		
Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Chromium ¹	0.0000209	0.0000084
Lead	0.0000094	0.0000031
Nickel ¹	0.0000188	0.0000063
Zinc	0.0000063	0.0000021

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming wastewaters are treated with descaling or combination acid pickling wastewaters.

(2) Using oil solutions.

SUBPART J		
Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
Chromium ¹	0.0000209	0.0000084
Lead	0.0000094	0.0000031
Nickel ¹	0.0000188	0.0000063
Zinc	0.0000063	0.0000021
Naphthalene	0.0000021	
Tetrachloroethylene	0.0000031	

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming wastewaters are treated with descaling or combination acid pickling wastewaters.

23. By revising § 420.104(b) (1) and (2) as follows:

§ 420.104 New source performance standards (NSPS).

* * * * *
(b) Cold worked pipe and tube mills.
(1) Using water.

SUBPART J		
Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kg/kg (pounds per 1,000 lb) of product	
TSS	0.00125	0.000626
O&G	0.000522	0.000209
Chromium ¹	0.0000209	0.0000084
Lead	0.0000094	0.0000031
Nickel ¹	0.0000188	0.0000063
Zinc	0.0000063	0.0000021
pH	(²)	(²)

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming

wastewaters are collected with descaling or combination acid pickling wastewaters.
² Within the range of 6.0 to 9.0

(2) Using oil solutions.

SUBPART J		
Pollutant or pollutant property	New Source Performance Standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
TSS	0.00125	0.000626
O&G	0.000522	0.000209
Chromium ¹	0.0000209	0.0000084
Lead	0.0000094	0.0000031
Nickel ¹	0.0000188	0.0000063
Zinc	0.0000063	0.0000021
Naphthalene	0.0000021	
Tetrachloroethylene	0.0000031	
pH	(²)	(²)

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming wastewaters are collected with descaling or combination acid pickling wastewaters.
² Within the range of 6.0 to 9.0.

24. By revising § 420.105(b) (1) and (2) as follows:

§ 420.105 Pretreatment standards for existing sources (PSES).

* * * * *
(b) Cold worked pipe and tube mills.
(1) Using water.

SUBPART J		
Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Chromium ¹	0.0000063	0.0000024
Lead	0.0000034	0.0000031
Nickel ¹	0.0000183	0.0000063
Zinc	0.0000063	0.0000021

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming wastewaters are treated with descaling or combination acid pickling wastewaters.

(2) Using oil solutions

SUBPART J		
Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Chromium ¹	0.0000063	0.0000024
Lead	0.0000034	0.0000031
Nickel ¹	0.0000183	0.0000063
Zinc	0.0000063	0.0000021
Naphthalene	0.0000021	
Tetrachloroethylene	0.0000031	

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming wastewaters are treated with descaling or combination acid pickling wastewaters.

25. By revising § 420.106(b) (1) and (2) as follows:

§ 420.106 Pretreatment standards for new sources (PSNS).

* * * * *
(b) Cold worked pipe and tube mills.
(1) Using water.

SUBPART J		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any one day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Chromium ¹	0.0000209	0.0000084
Lead	0.0000094	0.0000031
Nickel ¹	0.0000183	0.0000063
Zinc	0.0000063	0.0000021

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming wastewaters are treated with descaling or combination acid pickling wastewaters.

(2) Using oil solutions

SUBPART J		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any one day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Chromium ¹	0.0000209	0.0000084
Lead	0.0000094	0.0000031
Nickel ¹	0.0000183	0.0000063
Zinc	0.0000063	0.0000021
Naphthalene	0.0000021	
Tetrachloroethylene	0.0000031	

¹ The limitations for chromium and nickel shall be applicable in lieu of those for lead and zinc when cold forming wastewaters are treated with descaling or combination acid pickling wastewaters.

26. By revising § 420.107(b)(1) and (2) as follows:

§ 420.107 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional technology (BCT).

* * * * *
(b) Cold worked pipe and tube.
(1) Using water.

SUBPART J		
Pollutant or pollutant property	BCT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
TSS	0.00125	0.000626
O&G	0.000522	0.000209
pH	(¹)	(¹)

¹ Within the range of 6.0 to 9.0

(2) Using oil solutions.

SUBPART J

Pollutant or pollutant property	BCT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
TSS.....	0.00125	0.000626
O&G.....	0.000522	0.000209
pH.....	(1)	(1)

¹ Within the range of 6.0 to 9.0

28. By redesignating the existing text of § 420.120 as paragraph (a) and adding a new paragraph (b) as follows:

§ 420.120 Applicability; description of the hot coating subcategory.

(a) * * *

(b) The BPT and BAT limitations for zinc set out below are not applicable to hot coating operations with wastewater treatment facilities achieving, during periods of normal production, zinc discharge levels more stringent than those BPT and BAT limitations. For such operations, the BPT and BAT limitations for zinc shall be determined on a case-by-case basis based upon the existing performance of the wastewater treatment facility. The permitting authority shall evaluate representative effluent data from the wastewater treatment facility during periods of normal production in establishing the case-by-case BPT and BAT limitations. The BPT and BAT limitations specified in 40 CFR 420.122 and 420.123 may be used as the basis for calculating total mass limitations for zinc pursuant to 40 CFR 420.03.

28. Section 420.122 is amended by revising the entry for zinc in the tables in paragraphs (a)(1), (b)(1), and (c) as follows:

§ 420.122 Effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

* * * * *
(a) * * *
(1) * * *

SUBPART L

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Zinc.....	0.00150	0.000500

SUBPART L—Continued

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	

* * * * *
(b) * * *
(1) * * *

SUBPART L

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Zinc.....	0.00601	0.00200

* * * * *
(c) * * *

SUBPART L

Pollutant or pollutant property	BPT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc.....	0.327	0.109

* * * * *

29. Section 420.123 is amended by revising the entry for zinc in the tables in paragraphs (a)(1), (b)(1), and (c) as follows:

§ 420.123 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

* * * * *
(a) * * *
(1) * * *

SUBPART L

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Zinc.....	0.00150	0.000500

* * * * *

(b) * * *
(1) * * *

SUBPART L

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of products	
Zinc.....	0.00601	0.00200

* * * * *

(c) * * *

SUBPART L

Pollutant or pollutant property	BAT effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc.....	0.0491	0.0164

* * * * *

30. Section 420.124 is amended by revising the entry for zinc in the table in paragraphs (a)(1), (b)(1), and (c) revising the table headings in paragraph as follows:

§ 420.124 New source performance standards (NSPS).

* * * * *
(a) * * *
(1) * * *

SUBPART L

Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of products	
Zinc.....	0.000376	0.000125

* * * * *

(b) * * *
(1) * * *

SUBPART L		
Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Zinc	0.00150	0.000500

* * * * *

(c) * * *

SUBPART L		
Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Zinc	0.00091	0.00029

* * * * *

(c) * * *

SUBPART L		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Zinc	0.00150	0.000500

* * * * *
(c) * * *

SUBPART L		
Pollutant or pollutant property	New source performance standards	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc	0.0491	0.0164

* * * * *

31. Section 420.125 is amended by revising the entry for zinc in the tables in paragraphs (a)(1), (b)(1), and (c) and revising the table headings in paragraph (b)(1) as follows:

§ 420.125 Pretreatment standards for existing sources (PSES).

* * * * *

(a) * * *

(1) * * *

SUBPART L		
Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc	0.0491	0.0164

* * * * *

32. Section 420.126 is amended by revising the entry for zinc in the tables in paragraphs (a)(1), (b)(1), and (c) as follows:

§ 420.126 Pretreatment standards for new sources (PSNS).

* * * * *

(a) * * *

(1) * * *

SUBPART L		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Kilograms per day	
Zinc	0.0491	0.0164

* * * * *

PART 403—[AMENDED]

EPA is amending 40 CFR Part 403 as follows:

1. The authority citation for Part 403 reads as follows:

Authority: Sections 301; 304 (b), (c), (e), and (g); 308 (b) and (c); 307; 303 and 501 of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972, as amended by the Clean Water Act of 1977) (the "Act"); 33 U.S.C. 1311; 1314 (b), (c), (e), and (g); 1316 (b) and (c); 1317; 1318; and 1361; 89 Stat. 816, Pub. L. 92-500; 91 Stat. 1567; Pub. L. 95-217.

2. Section 403.6(e)(1) (i) and (ii) are amended by revising the definition for F_D . As revised, the definition for F_D in both paragraphs reads as follows:

§ 403.6 National pretreatment standards: categorical standards.

* * * * *

F_D = the average daily flow (at least a 30-day average) from (a) boiler blowdown streams and non-contact cooling streams; provided, however, that where such streams contain a significant amount of a pollutant, and the combination of such streams, prior to treatment, with an Industrial Users regulated process wastestream(s) will result in a substantial reduction of that pollutant, the Control Authority, upon application of the Industrial User, may exercise its discretion to determine whether such stream(s) should be classified as diluted or unregulated. In its application to the Control Authority, the Industrial User must provide engineering, production, sampling and analysis and such

SUBPART L		
Pollutant or pollutant property	Pretreatment standards for existing sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Zinc	0.00150	0.000500

* * * * *

(b) * * *

(1) * * *

SUBPART L		
Pollutant or pollutant property	Pretreatment standards for new sources	
	Maximum for any 1 day	Average of daily values for 30 consecutive days
	kg/kg (pounds per 1,000 lb) of product	
Zinc	0.000370	0.000125

* * * * *

(b) * * *

(1) * * *

other information so that the Control Authority can make its determination, or (b) sanitary wastestreams where such streams are not regulated by a categorical Pretreatment Standard, or (c) from any process wastestreams which were or could have been entirely exempted from categorical Pretreatment Standards pursuant to paragraph 8 of the *NRDC v. Costle* Consent

Decree (12 ERC 1833) for one or more of the following reasons (see Appendix D):

(1) the pollutants of concern are not detectable in the effluent from the Industrial User (paragraph (8)(a)(iii));

(2) the pollutants of concern are present only in trace amounts and are neither causing nor likely to cause toxic effects (paragraph (8)(a)(iii));

(3) the pollutants of concern are present in amounts too small to be effectively reduced by technologies known to the Administrator (paragraph (8)(a)(iii)); or

(4) the wastestream contains only pollutants which are compatible with the POTW (paragraph (8)(b)(i)).

* * * * *

[FR Doc. 84-13135 Filed 5-16-84; 8:45 am]

BILLING CODE 6560-50-M