ENVIROMENTAL PROTECTION AGENCY

[40 CFR Part 410]

TEXTILE INDUSTRY POINT SOURCE CATEGORY

Application of Effluent Limitations Guidelines to Incompatible Pollutants; Notice of Proposed Rulemaking

Notice is hereby given pursuant to sections 301, 304 and 307(b) of the Federal Water Pollution Control Act, as amended (the Act) 86 Stat. 816 et seq.; Pub. L. 92-500, that the proposed regulation set forth below concerns the application of effluent limitations guidelines for existing sources to pretreatment standards for incompatible pollutants. The proposal will amend 40 CFR Part 410, Textile Industry Point Source Category, establishing for each subcategory therein the extent of application of effluent limitations guidelines to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general pretreatment standard established by 40 CFR, Part 414. The purpose of the proposed regulation is to amend 40 CFR Part 414 by promulgating supplementary pretreatment standards for certain textile process effluents which are not currently subject to pretreatment requirements.

The proposed regulation is also intended to supplement a final regulation now being simultaneously promulgated by the Environmental Protection Agency (EPA or Agency) which provides effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources which discharge to publicly owned treatment works. The wool scouring, wool finishing, dyeing and finishing, subcategories of the textile industry point source category. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. The proposed regulation set forth below applies to users of publicly owned treatment works which fall within the description of the point source category to which the guidelines and standards (40 CFR Part 410) promulgated simultaneously apply. However, the proposed regulation applies to the introduction of incompatible pollutants which are discharged into a publicly owned treatment works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories: "Compatible" and "Incompatible." Compatible pollutants are generally not subject to pretreatment standards as set forth in 40 CFR, Part 410, and are regulated through subcategories of the textile industry point source category. Incompatible pollutants are subject to more stringent requirements than compatible pollutants and are subject to conditions and limitations for the implementation of equivalent control technology. The proposed regulation will apply to the introduction of incompatible pollutants which are discharged into publicly owned treatment works by a major industry not subject to section 307(c) of the Act, as follows:

In addition to the prohibitions set forth in 40 CFR 128.133, the pretreatment standard for incompatible pollutants is to be applied to the introduction of incompatible pollutants into a publicly owned treatment works by a major industry in the textile industry point source category. The proposed regulation will also be available for inspection at EPA regional offices and at State water pollution control agency offices. Copies of the final Development Document will be available in the near future and may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis report will be available for purchase through the National Technical Information Service, Springfield, Virginia 22161.

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

The Agency determined to implement these procedures in order to insure that any information made available to the public supports the proposed action. In brief, the procedures call for the Agency to make public the information available to it during the potential effects on other aspects of the environment (including solid waste disposal) of the treatment technologies available to meet the standard proposed; and (2) the anticipated effects on other aspects of the environment (including solid waste disposal) of the treatment technologies available to meet the standard proposed; and (2) the anticipated effects on other aspects of the environment.
proposed regulation containing effluent limitations guidelines, new source performance standards and pretreatment standards for new sources within the textile industry (40 CFR Part 410; February 5, 1974). Additional discussion is contained in the analysis of public comments on the proposed regulation and the Agency responses thereto in the preamble. The discussion appears in the preamble to the promulgated regulation (40 CFR Part 410) which currently is being published in the rules and regulations section. 

The options available to the Agency in establishing the level of pollutant reduction obtainable through the best practicable control technology currently available, and the reasons for the particular level of reduction selected are discussed in the documents described above. In applying the effluent limitations guidelines to pretreatment standards for the introduction of incompatible pollutants into municipal systems by existing sources in the wool scouring, wool finishing, dry processing, knitted fabric finishing, carpet mills, stock and yarn dyeing and finishing, and commission finishing subcategories, the Agency has, essentially, three options. The first is to declare that the guidelines do not apply. The second is to apply the guidelines unchanged. The third is to modify the guidelines to reflect: (1) Differences between direct dischargers and plants utilizing municipal systems which affect the practicability of the latter employing the technology available to achieve the effluent limitations guidelines; or (2) characteristics of the relevant pollutants which require higher levels of reduction (or permit less stringent levels) in order to insure that the pollutants do not interfere with the treatment works or pass through them untreated. 

As described in the Development Document, the process waste waters from all subcategories of the textile industry are similar in pollutant contents. The pollutants are organic materials, solids, total chromium, sulfide, phenol and oil and grease (wool scouring only). These waste waters from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for COD, total chromium, phenol, and sulfide set forth in §410.22 shall apply. 

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460. Attention: Mr. Phillip B. Wilman. Comments on all aspects of the proposed regulations are solicited. In the event comments address the appropriateness taken by the Agency in establishing pretreatment standards for existing sources, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304 and 307(b) of the Act. 

A copy of all public comments will be available for inspection and copying at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street SW., Washington, D.C. 20460. The EPA Information Regulation, 40 CFR Part 2, Subpart D, may be charged for copying. 

In consideration of the foregoing, it is hereby proposed that 40 CFR Part 410 be amended by adding sections 410.14, 410.24, 410.34, 410.44, 410.54, and 410.74 as set forth below. All comments received on or before August 5, 1974, will be considered. 

Dated June 25, 1974. 

JOHN QUARLES, Acting Administrator. 

Part 410 is proposed to be amended as follows: 

1. Subpart A is amended by adding §410.14 as follows: 

§410.14 Pretreatment standards for existing sources. 

For the purpose of pretreatment standards for incompatible pollutants established under §128.133 of this chapter, the effluent limitations guidelines except for the pollutants COD, total chromium,phenol, and sulfide set forth in §410.22 shall not apply, and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for COD, total chromium, phenol, and sulfide set forth in §410.32 shall apply. 

2. Subpart B is amended by adding §410.24 as follows: 

§410.24 Pretreatment standards for existing sources. 

For the purpose of pretreatment standards for incompatible pollutants established under §128.133 of this chapter, the effluent limitations guidelines except for the pollutants COD, total chromium, phenol, and sulfide set forth in §410.32 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for COD, total chromium, phenol, and sulfide set forth in §410.52 shall apply. 

3. Subpart C is amended by adding §410.34 as follows: 

§410.34 Pretreatment standards for existing sources. 

For the purpose of pretreatment standards for incompatible pollutants established under §128.133 of this chapter, the effluent limitations guidelines except for the pollutants COD, total chromium, phenol, and sulfide set forth in §410.34 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for COD, total chromium, phenol, and sulfide set forth in §410.32 shall apply. 

4. Subpart D is amended by adding §410.44 as follows: 

§410.44 Pretreatment standards for existing sources. 

For the purpose of pretreatment standards for incompatible pollutants established under §128.133 of this chapter, the effluent limitations guidelines except for the pollutants COD, total chromium, phenol, and sulfide set forth in §410.42 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for COD, total chromium, phenol, and sulfide set forth in §410.52 shall apply. 

5. Subpart E is amended by adding §410.54 as follows: 

§410.54 Pretreatment standards for existing sources. 

For the purpose of pretreatment standards for incompatible pollutants established under §128.133 of this chapter, the effluent limitations guidelines except for the pollutants COD, total chromium,phenol, and sulfide set forth in §410.42 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for COD, total chromium, phenol, and sulfide set forth in §410.52 shall apply. 

6. Subpart F is amended by adding §410.64 as follows: 

§410.64 Pretreatment standards for existing sources. 

For the purpose of pretreatment standards for incompatible pollutants established under §128.133 of this chapter, the effluent limitations guidelines except for the pollutants COD, total chromium,phenol, and sulfide set forth in §410.64 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory...
may be introduced into a publicly owned treatment works. The effluent limitations guidelines for COD, total chromium, phenol, and sulfide set forth in § 410.63 shall apply.

7. Subpart G is amended by adding § 410.74 as follows:

§ 410.74 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines except for the pollutants COD, total chromium, phenol, and sulfide set forth in § 410.72 shall not apply and, subject to the provisions of Part 128 of this chapter concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works. The effluent limitations guidelines for COD, total chromium, phenol, and sulfide set forth in § 410.72 shall apply.

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