modification containing a toxic pollut-
ant effluent limitation at a more strin-
gent level than that required by the
standard set forth in these regulations.
Any such action shall be taken pursu-
ant to the procedural provisions of 40
CFR parts 124 and 125, as appropriate.
In any proceeding in connection with
such action the burden of proof and of
going forward with evidence with re-
gard to such more stringent effluent
limitation shall be upon the Regional
Administrator (or State Director, if ap-
propriate) as the proponent of such
more stringent effluent limitation.

(3) Evidence in such proceeding shall
include at a minimum: An analysis
using data and other information to
demonstrate receiving water con-
centrations of the specified toxic pol-
lutant, projections of the anticipated
effects of the proposed modification on
such receiving water concentrations,
and the hydrologic and hydrographic
characteristics of the receiving waters
including the occurrence of dispersion
of the effluent. Detailed specifications
for presenting relevant information by
any interested party may be prescribed
in guidance documents published from
time to time, whose availability will be
announced in the FEDERAL REGISTER.

(b) Any effluent limitation in an
NPDES permit which a State proposes
to issue which is more stringent than
the toxic pollutant effluent standards
promulgated by the Administrator is
subject to review by the Administrator
under section 402(d) of the Act. The Ad-
ministrator may approve or disapprove
such limitation(s) or specify another
limitation(s) upon review of any record
of any proceedings held in connection
with the permit issuance or modifica-
tion and any other evidence available
to him. If he takes no action within
ninety days of his receipt of the notifi-
cation of the action of the permit
issuing authority and any record there-
of, the action of the State permit
issuing authority shall be deemed to be
approved.

§ 129.8 Compliance date.

(a) The effluent standards or prohibi-
tions set forth herein shall be complied
with not later than one year after pro-
mulgation unless an earlier date is es-
tablished by the Administrator for an
industrial subcategory in the promul-
gation of the standards or prohibitions.
(b) Toxic pollutant effluent standards
or prohibitions set forth herein shall
become enforceable under sections
307(d) and 309 of the Act on the date es-
tablished in paragraph (a) of this sec-
tion regardless of proceedings in con-
nection with the issuance of any
NPDES permit or application therefor,
or modification or renewal thereof.

§ 129.100 Aldrin/dieldrin.

(a) Specialized definitions. (1) Aldrin/
Dieldrin manufacturer means a manu-
facturer, excluding any source which is
exclusively an aldrin/dieldrin formu-
lator, who produces, prepares or proc-
esses technical aldrin or dieldrin or
who uses aldrin or dieldrin as a mate-
rial in the production, preparation or
processing of another synthetic organic
substance.

(2) Aldrin/Dieldrin formulator means a
person who produces, prepares or proc-
esses a formulated product comprising
a mixture of either aldrin or dieldrin
and inert materials or other diluents,
into a product intended for application
in any use registered under the Federal
Insecticide, Fungicide and Rodenticide
Act, as amended (7 U.S.C. 135, et seq.).

(3) The ambient water criterion for
aldrin/dieldrin in navigable waters is
0.003 μg/l.

(b) Aldrin/dieldrin manufacturer—(1)
Applicability. (i) These standards or pro-
hibitions apply to:
(A) All discharges of process wastes;
and
(B) All discharges from the manufac-
turing areas, loading and unloading
areas, storage areas and other areas
which are subject to direct contamina-
tion by aldrin/dieldrin as a result of the
manufacturing process, including but
not limited to:
(1) Stormwater and other runoff ex-
cept as hereinafter provided in par-
grah (b)(1)(ii) of this section; and
(2) Water used for routine cleanup or
cleanup of spills.

(ii) These standards do not apply to
stormwater runoff or other discharges
from areas subject to contamination
solely by fallout from air emissions of
aldrin/dieldrin; or to stormwater runoff
that exceeds that from the ten year 24-hour rainfall event.

(2) Analytical method acceptable. Environmental Protection Agency method specified in 40 CFR part 136, except that a 1-liter sample size is required to increase the analytical sensitivity.

(3) Effluent standard—(i) Existing sources. Aldrin or dieldrin is prohibited in any discharge from any aldrin/dieldrin manufacturer.

(ii) New Sources. Aldrin or dieldrin is prohibited in any discharge from any aldrin/dieldrin manufacturer.

(c) Aldrin/dieldrin formulator—(1) Applicability. (i) These standards or prohibitions apply to:

(A) All discharges of process wastes; and

(B) All discharges from the formulating areas, loading and unloading areas, storage areas and other areas which are subject to direct contamination by aldrin/dieldrin as a result of the formulating process, including but not limited to:

1. Stormwater and other runoff except as hereinafter provided in paragraph (c)(1)(ii) of this section; and

2. Water used for routine cleanup or cleanup of spills.

(ii) These standards do not apply to stormwater runoff or other discharges from areas subject to contamination solely by fallout from air emissions of aldrin/dieldrin; or to stormwater runoff that exceeds that from the ten year 24-hour rainfall event.

(2) Analytical method acceptable. Environmental Protection Agency method specified in 40 CFR part 136, except that a 1-liter sample size is required to increase the analytical sensitivity.

(3) Effluent standard—(i) Existing sources. Aldrin or dieldrin is prohibited in any discharge from any aldrin/dieldrin formulator.

(ii) New sources. Aldrin or dieldrin is prohibited in any discharge from any aldrin/dieldrin formulator.

§ 129.101 DDT, DDD and DDE

(a) Specialized definitions. (1) DDT Manufacturer means a manufacturer, excluding any source which is exclusively a DDT formulator, who produces, prepares or processes technical DDT, or who uses DDT as a material in the production, preparation or processing of another synthetic organic substance.

(2) DDT formulator means a person who produces, prepares or processes a formulated product comprising a mixture of DDT and inert materials or other diluents into a product intended for application in any use registered under the Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. 135, et seq.).

(3) The ambient water criterion for DDT in navigable waters is 0.001 µg/l.

(b) DDT manufacturer—(1) Applicability. (i) These standards or prohibitions apply to:

(A) All discharges of process wastes; and

(B) All discharges from the manufacturing areas, loading and unloading areas, storage areas and other areas which are subject to direct contamination by DDT as a result of the manufacturing process, including but not limited to:

1. Stormwater and other runoff except as hereinafter provided in paragraph (b)(1)(ii) of this section; and

2. Water used for routine cleanup or cleanup of spills.

(ii) These standards do not apply to stormwater runoff or other discharges from areas subject to contamination solely by fallout from air emissions of DDT; or to stormwater runoff that exceeds that from the ten year 24-hour rainfall event.

(2) Analytical method acceptable. Environmental Protection Agency method specified in 40 CFR part 136, except that a 1-liter sample size is required to increase the analytical sensitivity.

(3) Effluent standard—(i) Existing sources. DDT is prohibited in any discharge from any DDT manufacturer.

(ii) New sources. DDT is prohibited in any discharge from any DDT manufacturer.

(c) DDT formulator—(1) Applicability. (i) These standards or prohibitions apply to:

(A) All discharges of process wastes; and

(B) All discharges from the formulating areas, loading and unloading areas, storage areas and other areas.