

**Environmental Protection Agency**

**§ 455.40**

**Subpart B—Metallo-Organic Pesticide Chemicals Manufacturing Subcategory**

**§ 455.30 Applicability; description of the metallo-organic pesticide chemicals manufacturing subcategory.**

The provisions of this subpart are applicable to discharges resulting from the manufacture of metallo-organic active ingredients containing mercury, cadmium, arsenic, or copper. The manufacture of intermediates used to manufacture the active ingredients are excluded from coverage by this subpart.

**§ 455.31 Specialized definitions.**

(a) “Metallo-organic active ingredients” means carbon containing active ingredients containing one or more metallic atoms in the structure.

**§ 455.32 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.**

Except as provided in §§125.30 through 125.32, any existing point source subject to this subpart, shall achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT). The following limitations establish the quantity or quality of pollutants or pollutant properties controlled by this paragraph which may be discharged from the manufacture of metallo-organic active ingredient: There shall be no discharge of process waste water pollutants to navigable waters.

[60 FR 33971, June 29, 1995]

**§ 455.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT). [Reserved]**

**§ 455.34 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available control technology economically achievable (BAT). [Reserved]**

**§ 455.35 New source performance standards (NSPS). [Reserved]**

**§ 455.36 Pretreatment standards for existing sources (PSES). [Reserved]**

**§ 455.37 Pretreatment standards for new sources (PSNS). [Reserved]**

**Subpart C—Pesticide Chemicals Formulating and Packaging Subcategory**

**§ 455.40 Applicability; description of the pesticide formulating, packaging and repackaging subcategory.**

(a) The provisions of this subpart are applicable to discharges resulting from all pesticide formulating, packaging and repackaging operations except as provided in paragraphs (b), (c), (d), (e) and (f) of this section.

(b) The provisions of this subpart do not apply to repackaging of agricultural pesticides performed at refilling establishments, as described in §455.60.

(c) The provisions of this subpart do not apply to wastewater discharges from: the operation of employee showers and laundry facilities; the testing of fire protection equipment; the testing and emergency operation of safety showers and eye washes; storm water; Department of Transportation (DOT) aerosol leak test bath water from non-continuous overflow baths (batch baths) where no cans have burst from the time of the last water change-out; and on-site laboratories from cleaning analytical equipment and glassware and rinsing the retain sample container (except for the initial rinse of the retain sample container which is considered a process wastewater source for this subpart).

(d) The provisions of this subpart do not apply to wastewater discharges

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from the formulation, packaging and/or repackaging of sanitizer products (including pool chemicals); microorganisms; inorganic wastewater treatment chemicals; group 1 mixtures and group 2 mixtures, as defined under § 455.10.

(e) The provisions of this subpart do not apply to wastewater discharges from the development of new formulations of pesticide products and the associated efficacy and field testing at on-site or stand-alone research and development laboratories where the resulting pesticide product is not produced for sale.

(f) The provisions of this subpart do not apply to wastewater discharges from the formulation, packaging and/or repackaging of liquid chemical sterilant products (including any sterilant or subordinate disinfectant claims on such products) for use on a critical or semi-critical device, as defined in Section 201 of the Federal Food, Drug and Cosmetic Act and in Section 2(u) of the Federal Insecticide, Fungicide and Rodenticide Act.

[61 FR 57549, Nov. 6, 1996]

### § 455.41 Special definitions.

(a) *Initial Certification Statement* for this subpart means a written submission to the appropriate permitting authority, e.g., the local Control Authority (the POTW) or NPDES permit writer which must be signed by the responsible corporate officer as defined in 40 CFR 403.12(1) or 40 CFR 122.22 and which:

(1) Lists and describes those product families, process lines and/or process units for which the PFPR facility is implementing the Pollution Prevention Alternative ("P2 Alternative");

(2) Describes the PFPR facility specific practices for each product family/process line/process unit which are to be practiced as part of the P2 Alternative;

(3) Describes any justification allowing modification to the practices listed in Table 8 to this part 455; and

(4) Lists the treatment system being used to obtain a P2 allowable discharge (as defined in 455.41).

(b) *Periodic Certification Statement* for this subpart means a written submission to the appropriate permitting authority, e.g., the local Control Author-

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ity (the POTW) or NPDES permit writer, which states that the P2 Alternative is being implemented in the manner set forth in the control mechanism (for indirect dischargers) or NPDES permit (for direct dischargers) or that a justification allowing modification of the practices listed in Table 8 to this part 455 has been implemented resulting in a change in the pollution prevention practices conducted at the facility. The Periodic Certification Statement must be signed by the responsible corporate officer as defined in 40 CFR 403.12(1) or 40 CFR 122.22.

(c) *On-site Compliance Paperwork* for this subpart means data or information maintained in the offices of the PFPR facility which supports the initial and periodic certification statements as follows:

(1) Lists and describes those product families, process lines and/or process units for which the facility is implementing the P2 Alternative;

(2) Describes the facility specific practices for each product family/process line/process unit which are to be practiced as part of the P2 Alternative;

(3) Describes any justification allowing modification to the practices listed in Table 8 to this part 455;

(4) Includes a written discussion demonstrating that the treatment system being used contains the appropriate pollution control technologies (or equivalent systems/pesticide manufacturing systems) for removing the PAIs which may be found in the wastewater;

(5) Establishes a method for demonstrating to the permitting/control authority that the treatment system is well operated and maintained; and

(6) Includes a discussion of the rationale for choosing the method of demonstration.

(d) For Indirect Dischargers:

*Pollution prevention (P2) allowable discharge (excluding interior wastewater sources, leak and spill clean-up water, and floor wash)* for this subpart means the quantity of/concentrations of pollutants in PFPR process wastewaters that remain after a facility has demonstrated that it is using the specified practices of the Pollution Prevention Alternative as listed in Table 8 to this part 455.