

## Environmental Protection Agency

## § 436.142

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

(a) Except as provided in §§125.30 through 125.32, and subject to the provisions of paragraph (b) of this section, 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): there shall be no discharge of process waste water pollutants into navigable waters.

(b) The limitations specified in paragraph (a) of this section shall be applied on a net basis if the discharge is in compliance with §125.28 of this chapter “the source of the applicant’s water supply is the same body of water into which the discharge is made \* \* \*”.

[40 FR 48657, Oct. 16, 1975, as amended at 60 FR 33968, June 29, 1995; 60 FR 35796, July 11, 1995]

### **Subpart M—Borax Subcategory**

#### **§ 436.130 Applicability; description of the borax subcategory.**

The provisions of this subpart are applicable to the processing of borate minerals. Borax obtained from brine lakes is regulated in the salines from brine lakes subcategory (subpart L of this part).

#### **§ 436.131 Specialized definitions.**

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in part 401 of this chapter shall apply to this subpart.

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

(a) Except as provided in §§125.30 through 125.32, and subject to the provisions of paragraph (b) of this section, 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): there shall be no discharge of process waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10-year, 24-hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

[40 FR 48657, Oct. 16, 1975, as amended at 60 FR 33968, June 29, 1995; 60 FR 35796, July 11, 1995]

### **Subpart N—Potash Subcategory**

AUTHORITY: Sec. 306, Federal Water Pollution Control Act, as amended.

#### **§ 436.140 Applicability; description of the potash subcategory.**

The provisions of this subpart are applicable to the processing of potash. Potash obtained from brine lakes is regulated in the saline from brine lakes subcategory (subpart L of this part).

#### **§ 436.141 Specialized definitions.**

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in part 401 of this chapter shall apply to this subpart.

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

(a) Except as provided in §§125.30 through 125.32, and subject to the provisions of paragraph (b) of this section, any existing point source subject to this subpart shall achieve the following effluent limitations representing the

**§ 436.150**

degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT): there shall be no discharge of process waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10-year, 24-hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

[40 FR 48657, Oct. 16, 1975, as amended at 60 FR 33968, June 29, 1995; 60 FR 35796, July 11, 1995]

**Subpart O—Sodium Sulfate Subcategory**

**§ 436.150 Applicability; description of the sodium sulfate subcategory.**

The provisions of this subpart are applicable to the processing of sodium sulfate. Sodium sulfate obtained from brine lakes is regulated in the salines from brine lakes subcategory (subpart L of this part).

**§ 436.151 Specialized definitions.**

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in part 401 of this chapter shall apply to this subpart.

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

(a) Except as provided in §§125.30 through 125.32, and subject to the provisions of paragraph (b) of this section, 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

**40 CFR Ch. I (7–1–11 Edition)**

available (BPT): there shall be no discharge of process waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10-year, 24-hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

[40 FR 48657, Oct. 16, 1975, as amended at 60 FR 33968, June 29, 1995; 60 FR 35796, July 11, 1995]

**Subpart P—Trona Subcategory [Reserved]**

**Subpart Q—Rock Salt Subcategory [Reserved]**

**Subpart R—Phosphate Rock Subcategory**

AUTHORITY: Sec. 306, Federal Water Pollution Control Act, as amended.

**§ 436.180 Applicability; description of the phosphate rock subcategory.**

The provisions of this subpart are applicable to the mining and the processing of phosphate bearing rock, ore or earth for the phosphate content.

[43 FR 9809, Mar. 10, 1978]

**§ 436.181 Specialized definitions.**

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR part 401 shall apply to this subpart.

(b) The term “mine dewatering” shall mean any water that is impounded or that collects in the mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator.

(c) The term “10-year 24-hour precipitation event” shall mean the maximum 24 hour precipitation event with a probable reoccurrence interval of once