

**§ 407.60 Applicability; description of the canned and preserved fruits subcategory.**

The provisions of this subpart are applicable to discharges resulting from the processing of the following fruit products: Apricots; caneberries; sweet, sour and brined cherries; cranberries; dried fruit; grape juice canning and pressing; olives; peaches; pears; fresh and processed pickles, and pickle salting stations; pineapples; plums; raisins; strawberries; and tomatoes. When a plant is subject to effluent limitations covering more than one commodity or subcategory, the plant discharge limitation shall be set by proration of limitations for each subcategory or commodity based on the total production covered by each commodity or subcategory.

**§ 407.61 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 *apricots* shall include the processing of apricots into the following product styles: Canned and frozen, pitted and unpitted, peeled and unpeeled, whole, halves, slices, nectar, and concentrate.

(c) The term *caneberries* shall include the processing of the following berries: Canned and frozen blackberries, blueberries, boysenberries, currants, gooseberries, loganberries, ollalieberries, raspberries, and any other similar cane or bushberry but not strawberries or cranberries.

(d) The term *cherries, sweet* shall include the processing of all sweet varieties of cherries into the following product styles: Frozen and canned, pitted and unpitted, whole, halves, juice and concentrate.

(e) The term *cherries, sour* shall include the processing of all sour varieties of cherries into the following product styles: Frozen and canned, pitted and unpitted, whole, halves, juice and concentrate.

(f) The term *cherries, brined* shall include the processing of all varieties of cherries into the following brined product styles: Canned, bottled and bulk, sweet and sour, pitted and unpitted,

bleached, sweetened, colored and flavored, whole, halved and chopped.

(g) The term *cranberries* shall mean the processing of cranberries into the following product styles: Canned, bottled, and frozen, whole, sauce, jelly, juice and concentrate.

(h) The term *dried fruit* shall mean the processing of various fruits into the following products styles: Air, vacuum, and freeze dried, pitted and unpitted, blanched and unblanched, whole, halves, slices and other similar styles of apples, apricots, figs, peaches, pears, prunes, canned extracted prune juice and pulp from rehydrated and cooked dehydrated prunes; but not including dates or raisins.

(i) The term *grape juice canning* shall mean the processing of grape juice into the following products and product styles: Canned and frozen, fresh and stored, natural grape juice for the manufacture of juices, drinks, concentrates, jams, jellies, and other related finished products but not wine or other spirits. In terms of raw material processed 1000 kg (1000 lb) of grapes are equivalent to 834 liters (100 gallons) of grape juice.

(j) The term *grape pressing* shall mean the washing and subsequent handling including pressing, heating, and filtration of natural juice from all varieties of grapes for the purpose of manufacturing juice, drink, concentrate, and jelly but not wine or other spirits. In terms of raw material processed 1000 kg (1000 lb) of grapes are equivalent to 834 liters (100 gallons) of grape juice.

(k) The term *olives* shall mean the processing of olives into the following product styles: Canned, all varieties, fresh and stored, green ripe, black ripe, spanish, sicilian, and any other styles to which spices, acids, and flavorings may have been added.

(l) The term *peaches* shall mean the processing of peaches into the following product styles: Canned or frozen, all varieties, peeled, pitted and unpitted, whole, halves, sliced, diced, and any other cuts, nectar, and concentrate but not dehydrated.

(m) The term *pears* shall mean the processing of pears into the following product styles: Canned, peeled, halved,

sliced, diced, and any other cuts, nectar and concentrate but not dehydrated.

(n) The term *pickles, fresh* shall mean the processing of fresh cucumbers and other vegetables, all varieties, all sizes from whole to relish, all styles, cured after packing.

(o) The term *pickles processed* shall mean the processing of pickles, cucumbers and other vegetables, all varieties, sizes and types, made after fermentation and storage.

(p) The term *pickles, salt stations* shall mean the handling and subsequent preserving of cucumbers and other vegetables at salting stations or tankyards, by salt and other chemical additions necessary to achieve proper fermentation for the packing of processed pickle products. Limitations include allowances for the discharge of spent brine, tank wash, tank soak, and cucumber wash waters. At locations where both salt station and process pack operations (§ 407.61(o)) occur, additive allowances shall be made for both of these sources in formulation of effluent limitations. The effluent limitations are to be calculated based upon the total annual weight (1000 lb, kkg) of raw product processed at each of the salt station and process pack operations. Allowances for contaminated stormwater runoff should be considered in NPDES permit formulation on a case-by-case basis.

(q) The term *pineapples* shall mean the processing of pineapple into the following product styles: Canned, peeled, sliced, chunk, tidbit, diced, crushed, and any other related piece size, juice and concentrate. It also specifically includes the on-site production of by-products such as alcohol, sugar or animal feed.

(r) The term *plums* shall mean the processing of plums into the following product styles: Canned and frozen, pitted and unpitted, peeled and unpeeled, blanched and unblanched, whole, halved, and other piece size.

(s) The term *raisins* shall mean the production of raisins from the following products: Dried grapes, all varieties, bleached and unbleached, which have been cleaned and washed prior to packaging.

(t) The term *strawberries* shall mean the processing of strawberries into the following product styles: Canned and frozen, whole, sliced, and pureed.

(u) The term *tomatoes* shall mean the processing of tomatoes into canned, peeled, whole, stewed, and related piece sizes; and processing of tomatoes into the following products and product styles: Canned, peeled and unpeeled paste, concentrate, puree, sauce, juice, catsup and other similar formulated items requiring various other pre-processed food ingredients.

(v) The term *medium* shall mean a point source that processes a total annual raw material production of fruits, vegetables, specialties and other products that is between 1,816 kkg (2,000 tons) per year and 9,080 kkg (10,000 tons) per year.

(w) The term *large* shall mean a point source that processes a total annual raw material production of fruits, vegetables, specialties and other products that exceeds 9,080 kkg (10,000 tons) per year.

(x) The term *annual average* shall mean the maximum allowable discharge of BOD<sub>5</sub> or TSS as calculated by multiplying the total mass (kkg or 1000 lb) of each raw commodity processed for the entire processing season or calendar year by the applicable annual average limitation.

(y) The terms *maximum for any one day* and *average of daily values for thirty consecutive days* shall be based on the daily average mass of material processed during the peak thirty consecutive day production period.

[41 FR 16277, Apr. 16, 1976, as amended at 44 FR 22464, Apr. 16, 1979]

**§ 407.62 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):

(a) The following limitations establish the quantity of BOD<sub>5</sub> controlled by