(c) Recordkeeping. (1) The permit shall provide that the permittee must maintain on site, during the term of the permit, up to five years, records documenting compliance with paragraphs (a) through (b) of this section. These records include, but are not limited to, documentation of wastewater samples collected and analyzed, certifications, and equipment maintenance schedules and agreements.

(2) At the Director’s discretion, a requirement may be included in the permit for the permittee to collect, and maintain on site during the term of the permit, up to five (5) years of data on the annual volume of ADF used.

Subpart B [Reserved]

APPENDIX A TO PART 449—SAMPLING PROTOCOL FOR SOLUBLE COD

This sampling protocol applies only to samples collected for use in measurement of COD when demonstrating compliance with the regulations set forth in this part. Collect a representative sample of the effluent from the airport deicing treatment system, based on the discharge permit requirements (e.g., a grab sample or a composite sample). Because only the COD sample is filtered, do not use in-line filters if collecting a sample with a compositing device.

A. GRAB SAMPLES

1. Cap the container and shake the grab sample vigorously to mix it. Remove the plunger from a 10-milliliter (mL) or larger Luer-lock plastic syringe equipped with an Acrodisc Luer-lock filter containing a 1.5-μm glass fiber filter (Whatman 934-AH, or equivalent), and fill the syringe body with sample.

2. Replace the plunger and filter the sample into a clean COD vial or other suitable container. Additional 10-mL volumes of sample may be filtered and the filtrate added to separate containers, as needed, to provide samples for repeat analyses or to prepare QC samples.

3. Analyze the sample using a method approved for COD in Table 1B at 40 CFR part 136. Note: Because this procedure is specific to this point source category, it does not appear by name in 40 CFR part 136.

4. Report the sample results as Soluble COD in units of milligrams per liter (mg/L). There is no Chemical Abstracts Service (CAS) Registry Number for soluble COD.

B. COMPOSITE SAMPLES

1. If the sample will be analyzed in a fixed laboratory (as opposed to field testing), transfer at least 50 mL of well-mixed sample from the compositing device into a clean 50-mL screw-cap glass, plastic, or fluoropolymer bottle. Preserve the sample with H$_2$SO$_4$ to pH <2. Cap the bottle and label with the sample number. Place in a cooler on ice prior to shipping.

2. Once at the analytical laboratory, the sample must be stored at ≤6 degrees Celsius and analyzed within 28 days of collection (see the requirements for COD in Table II at 40 CFR part 136).

3. Prior to analysis, remove the sample from cold storage and allow it to warm to room temperature. Shake the sample vigorously to mix it.

4. Replace the plunger and filter the sample into a clean COD vial or other suitable container.

5. Additional 10-mL volumes of sample may be filtered and the filtrate added to separate containers, as needed, to provide samples for repeat analyses or to prepare QC samples.

6. Analyze the sample using a method approved for COD in Table 1B at 40 CFR part 136. Note: Because this procedure is specific to this point source category, it does not appear by name in 40 CFR part 136.

7. Report the sample results as Soluble COD in units of mg/L. There is no CAS Registry Number for soluble COD.
Subpart B—Construction and Development Effluent Guidelines

§ 450.21 Effluent limitations reflecting the best practicable technology currently available (BPT).

Except as provided in 40 CFR 125.30 through 125.32, any point source subject to this subpart must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available (BPT).

(a) **Erosion and sediment controls.** Design, install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed and maintained to:

1. Control stormwater volume and velocity within the site to minimize soil erosion;
2. Control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and streambank erosion;
3. Minimize the amount of soil exposed during construction activity;
4. Minimize the disturbance of steep slopes;
5. **Minimize sediment discharges from the site.** The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
6. Provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration, unless infeasible; and
7. Minimize soil compaction and, unless infeasible, preserve topsoil.

(b) **Soil stabilization.** Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization must be completed within a period of time determined by the permitting authority. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures must
be employed as specified by the permitting authority.

(c) Dewatering. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls.

(d) Pollution prevention measures. Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented and maintained to:

(1) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

(2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater; and

(3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

(e) Prohibited discharges. The following discharges are prohibited:

(1) Wastewater from washout of concrete, unless managed by an appropriate control;

(2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

(3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and

(4) Soaps or solvents used in vehicle and equipment washing.

(f) Surface outlets. When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible.

§ 450.22 Effluent limitations reflecting the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32, any point source subject to this subpart must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best available technology economically achievable (BAT).

(a) Beginning no later than August 1, 2011 during construction activity that disturbs 20 or more acres of land at one time, including non-contiguous land disturbances that take place at the same time and are part of a larger common plan of development or sale; and

(b) no later than February 2, 2014 during construction activity that disturbs ten or more acres of land area at one time, including non-contiguous land disturbances that take place at the same time and are part of a larger common plan of development or sale, the following requirements apply:

(1) Except as provided by paragraph (b) of this section, the average turbidity of any discharge for any day must not exceed the value listed in the following table:

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Daily maximum value (NTU)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turbidity</td>
<td>280</td>
</tr>
</tbody>
</table>

* Nephelometric turbidity units.

(2) Conduct monitoring consistent with requirements established by the permitting authority. Each sample must be analyzed for turbidity in accordance with methods specified by the permitting authority.

(b) If stormwater discharges in any day occur as a result of a storm event in that same day that is larger than the local 2-year, 24-hour storm, the effluent limitation in paragraph (a)(1) of this section does not apply for that day.

(c) Erosion and sediment controls. The limitations are described at § 450.21(a).

(d) Soil stabilization. The limitations are described at § 450.21(b).

(e) Dewatering. The limitations are described at § 450.21(c).

(f) Pollution prevention measures. The limitations are described at § 450.21(d).

(g) Prohibited discharges. The limitations are described at § 450.21(e).

(h) Surface outlets. The limitations are described at § 450.21(f).
§ 451.23 Effluent limitations reflecting the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30 through 125.32, any point source subject to this subpart must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best conventional pollutant control technology (BCT). The effluent limitations are described at § 450.21.

§ 450.24 New source performance standards reflecting the best available demonstrated control technology (NSPS).

Any new source subject to this subpart must achieve, at a minimum, the following new source performance standards representing the degree of effluent reduction attainable by application of the best available demonstrated control technology (NSPS): The standards are described at § 450.22.

PART 451—CONCENTRATED AQUATIC ANIMAL PRODUCTION POINT SOURCE CATEGORY

Sec.
451.1 General applicability.
451.2 General definitions.
451.3 General reporting requirements.

Subpart A—Flow-Through and Recirculating Systems Subcategory

451.10 Applicability.
451.11 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).
451.12 Effluent limitations attainable by the application of the best available technology economically achievable (BAT).
451.13 Effluent limitations attainable by the application of the best conventional technology (BCT).

Subpart B—Net Pen Subcategory

451.20 Applicability.
451.21 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).
451.22 Effluent limitations attainable by the application of the best available technology economically achievable (BAT).
451.23 Effluent limitations attainable by the application of the best conventional technology (BCT).


SOURCE: 69 FR 51927, Aug. 23, 2004, unless otherwise noted.

§ 451.1 General applicability.

As defined more specifically in each subpart, this part applies to discharges from concentrated aquatic animal production facilities as defined at 40 CFR 122.24 and appendix C of 40 CFR part 122. This part applies to the discharges of pollutants from facilities that produce 100,000 pounds or more of aquatic animals per year in a flow-through, recirculating, net pen or submerged cage system.

§ 451.2 General definitions.

As used in this part:
(a) The general definitions and abbreviations in 40 CFR part 401 apply.
(b) Approved dosage means the dose of a drug that has been found to be safe and effective under the conditions of a new animal drug application.
(c) Aquatic animal containment system means a culture or rearing unit such as a raceway, pond, tank, net or other structure used to contain, hold or produce aquatic animals. The containment system includes structures designed to hold sediments and other materials that are part of a wastewater treatment system.
(d) Concentrated aquatic animal production facility is defined at 40 CFR 122.24 and appendix C of 40 CFR part 122.
(e) Drug means any substance defined as a drug in section 201(g)(1) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321).
(f) Extralabel drug use means a drug approved under the Federal Food, Drug and Cosmetic Act that is not used in