

**Environmental Protection Agency**

**§ 418.51**

**§ 418.44 [Reserved]**

**§ 418.45 Standards of performance for new sources.**

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Ammonia (as N) .....	0.08	0.04
Nitrate (as N) .....	.12	.07

NOTE: Metric units: kilogram/1,000 kg of product; English units: pound/1,000 lb of product.

(Sec. 306(b), Federal Water Pollution Control Act, as amended (33 U.S.C. 1316(c)))

[43 FR 17828, Apr. 26, 1978, as amended at 44 FR 9388, Feb. 13, 1979]

**§ 418.46 Pretreatment standards for new sources.**

The pretreatment standards under section 307(c) of the Act for a source within the ammonium nitrate subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 418.45; *Provided*, That, if the publicly owned treatment works which receives the pollutants in committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall be correspondingly reduced in stringency for that pollutant.

EFFECTIVE DATE NOTE: Section 418.46 was suspended until further notice at 40 FR 26275, June 23, 1975, effective July 20, 1975.

**Subpart E—Nitric Acid Subcategory**

**§ 418.50 Applicability; description of the nitric acid subcategory.**

The provisions of this subpart are applicable to discharges resulting from production of nitric acid in concentrations up to 68 percent. Discharges from shipping losses are excluded.

[41 FR 2387, Jan. 1, 1976]

**§ 418.51 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 *product* shall mean nitric acid on the basis of 100 percent HNO<sub>3</sub>.

(c) The term *shipping losses* shall mean: Discharges resulting from loading tank cars or tank trucks; discharges resulting from cleaning tank cars or tank trucks; and discharges from air pollution control scrubbers designed to control emissions from loading or cleaning tank cars or tank trucks.

(d) The term *shipped liquid ammonia* shall mean liquid ammonia commercially shipped for which the Department of Transportation requires 0.2 percent minimum water content.

(e) The term *non-contact cooling water* shall mean water which is used in a cooling system designed so as to maintain constant separation of the cooling medium from all contact with process chemicals but which may on the occasion of corrosion, cooling system leakage or similar cooling system failures contain small amounts of process chemicals: *Provided*, That all reasonable measures have been taken to prevent, reduce, eliminate and control to the maximum extent feasible such contamination: *And provided further*, That all reasonable measures have been taken that will mitigate the effects of such contamination once it has occurred.

[39 FR 12836, Apr. 8, 1974, as amended at 41 FR 2387, Jan. 16, 1976]