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# Title 40

# PART 443 - EFFLUENT LIMITATIONS GUIDELINES FOR EXISTING SOURCES AND STANDARDS OF PERFORMANCE AND PRETREATMENT STANDARDS FOR NEW SOURCES FOR THE PAVING AND ROOFING MATERIALS (TARS AND ASPHALT) POINT SOURCE CATEGORY

**Authority:** Secs. 301, 304 (b) and (c), 306 (b) and (c) and 307(c), Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c), 1317(c), 86 Stat. 816 et seq.; Pub. L. 92-500.

**Source:** 40 FR 31191, July 24, 1975, unless otherwise noted.

## Subpart A - Asphalt Emulsion Subcategory

### § 443.10 Applicability; description of the asphalt emulsion subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of asphalt paving and roofing emulsions.

### § 443.11 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.
- (b) The term "production area size" shall mean that area in which the oxidation towers, loading facilities, and all buildings that house product processes are located.
- (c) The term "process wastewater pollutants" shall mean any pollutants present in the process wastewaters and rainwater runoff.

### § 443.12 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):

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
	Metric units (kg/cu m of runoff)	
Oil and grease	0.020	0.015
pH	( <sup>1</sup> )	( <sup>1</sup> )
	English units (lb/1,000 gal of runoff)	
Oil and grease	0.167	0.125
pH	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup> Within the range 6.0 to 9.0.

**§ 443.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
	Metric units (kg/cu m of runoff)	
TSS	0.023	0.015
Oil and grease	0.015	0.010
pH	( <sup>1</sup> )	( <sup>1</sup> )
	English units (lb/1,000 gal of runoff)	
TSS	0.188	0.125
Oil and grease	0.125	0.083
pH	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup> Within the range 6.0 to 9.0.

**§ 443.14 [Reserved]**

**§ 443.15 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 -
	Metric units (kg/cu m of runoff)	
TSS	0.023	0.015
Oil and grease	0.015	0.010
pH	( <sup>1</sup> )	( <sup>1</sup> )
	English units (lb/1,000 gal of runoff)	
TSS	0.188	0.125
Oil and grease	0.125	0.083

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
pH	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup> Within the range 6.0 to 9.0.

#### § 443.16 Pretreatment standards for new sources.

Any new source subject to this subpart that introduces process wastewater pollutants into a publicly owned treatment works must comply with 40 CFR part 403. In addition, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment standard
BOD <sub>5</sub>	No limitation.
TSS	Do.
pH	Do.
Oil and grease	100 mg/l.

[40 FR 31191, July 24, 1975, as amended at 60 FR 33969, June 29, 1995]

### Subpart B - Asphalt Concrete Subcategory

#### § 443.20 Applicability; description of the asphalt concrete subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of asphalt concrete.

#### § 443.21 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.
- (b) The term "process wastewater" shall mean any water which, during the manufacturing process, comes into direct contact with any raw material, intermediate product, by-product, or product used in or resulting from the production of paving asphalt concrete.
- (c) The term "process wastewater pollutants" shall mean any pollutants present in the process wastewater.

#### § 443.22 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): There shall be no discharge of process waste water pollutants to navigable waters.

[60 FR 33969, June 29, 1995]

**§ 443.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process wastewater pollutants to navigable waters.

**§ 443.24 [Reserved]****§ 443.25 Standards of performance for new sources.**

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process wastewater pollutants to navigable waters.

**§ 443.26 Pretreatment standard for new sources.**

Any new source subject to this subpart that introduces process wastewater pollutants into a publicly owned treatment works must comply with 40 CFR part 403. In addition, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment standard
BOD <sub>5</sub>	No limitation.
TSS	Do.
pH	Do.
Oil and grease	100 mg/l.

[40 FR 31191, July 24, 1975, as amended at 60 FR 33969, June 29, 1995]

**Subpart C - Asphalt Roofing Subcategory****§ 443.30 Applicability; description of the asphalt roofing subcategory.**

The provisions of this subpart are applicable to discharges resulting from the production of asphalt roofing materials.

**§ 443.31 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.
- (b) The term "process wastewater" shall mean any water which, during the manufacturing process, comes into direct contact with any raw material, intermediate product, by-product, or product used in or resulting from the production of asphalt roofing materials.
- (c) The term "process wastewater pollutants" shall mean any pollutants present in the process wastewater.

**§ 443.32 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):

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
	Metric units (kg/kkg of product)	
TSS	0.056	0.038
pH	( <sup>1</sup> )	( <sup>1</sup> )
	English units (lb/1,000 lb of product)	
TSS	0.056	0.038
pH	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup> Within the range 6.0 to 9.0.

[40 FR 31191, July 24, 1975, as amended at 60 FR 33969, June 29, 1995]

#### § 443.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
	Metric units (kg/kkg of product)	
TSS	0.028	0.019
pH	( <sup>1</sup> )	( <sup>1</sup> )
	English units (lb/1,000 lb of product)	
TSS	0.028	0.019
pH	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup> Within the range 6.0 to 9.0.

#### § 443.34 [Reserved]

#### § 443.35 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 -
	Metric units (kg/kg of product)	
TSS	0.028	0.019
pH	( <sup>1</sup> )	( <sup>1</sup> )
	English units (lb/1,000 lb of product)	
TSS	0.028	0.019
pH	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup> Within the range 6.0 to 9.0.

#### § 443.36 Pretreatment standard for new sources.

Any new source subject to this subpart that introduces process wastewater pollutants into a publicly owned treatment works must comply with 40 CFR part 403. In addition, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment standard
BOD <sub>5</sub>	No limitation.
TSS	Do.
pH	Do.
Oil and grease	100 mg/l.

[40 FR 31191, July 24, 1975, as amended at 60 FR 33969, June 29, 1995]

### Subpart D - Linoleum and Printed Asphalt Felt Subcategory

#### § 443.40 Applicability; description of the linoleum and printed asphalt felt subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of Linoleum and Printed Asphalt Felt floor coverings.

#### § 443.41 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.

- (b) The term "process wastewater" shall mean any water which, during the manufacturing process, comes into direct contact with any raw material, intermediate product, by-product, or product used in or resulting from the production of linoleum and printed asphalt felt floor coverings.
- (c) The term "process wastewater pollutants" shall mean any pollutants present in the process wastewater.

**§ 443.42 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):

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
	Metric units (kg/kkg of product)	
TSS	0.038	0.025
pH	( <sup>1</sup> )	( <sup>1</sup> )
	English units (lb/1,000 lb of product)	
TSS	0.038	0.025
pH	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup> Within the range 6.0 to 9.0.

[40 FR 31191, July 24, 1975, as amended at 60 FR 33970, June 29, 1995]

**§ 443.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
	Metric units (kg/kkg of product)	
TSS	0.019	0.013
pH	( <sup>1</sup> )	( <sup>1</sup> )
	English units (lb/1,000 lb of product)	
TSS	0.019	0.013

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
pH	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup> Within the range 6.0 to 9.0.

#### § 443.44 [Reserved]

#### § 443.45 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 -
		Metric units (kg/kkg of product)
pH	( <sup>1</sup> )	( <sup>1</sup> )
		English units (lb/1,000 lb of product)
TSS	0.019	0.013
pH	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup> Within the range 6.0 to 9.0.

#### § 443.46 Pretreatment standard for new sources.

Any new source subject to this subpart that introduces process wastewater pollutants into a publicly owned treatment works must comply with 40 CFR part 403. In addition, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment standard
BOD <sub>5</sub>	No limitation.
TSS	Do.
pH	Do.
Oil and grease	100 mg/l.

[40 FR 31191, July 24, 1975, as amended at 60 FR 33970, June 29, 1995]