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# Title 40

## PART 459 - PHOTOGRAPHIC POINT SOURCE CATEGORY

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

**Source:** 41 FR 29079, July 14, 1976, unless otherwise noted.

### Subpart A - Photographic Processing Subcategory

#### § 459.10 Applicability; description of the photographic processing subcategory.

The provisions of this subpart are applicable to point source discharges resulting from the development or printing of paper prints, slides, negatives, enlargements, movie film, and other sensitized materials except that facilities processing 150 sq. meters (1600 sq. feet) per day or less are not covered. Both commercial and military facilities are covered by this subpart.

#### § 459.11 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 "product" shall mean articles developed or printed by photographic processes, such as paper prints, slides, negatives, enlargements, movie film and other sensitized materials.

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

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment of facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit

either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

- (a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from a photographic processing point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
	Metric units (kilograms per 1,000 m <sup>2</sup> of product)	
Ag	0.14	0.07
CN	0.18	0.09
pH	( <sup>1</sup> )	( <sup>1</sup> )
	English units (pounds per 1,000 ft <sup>2</sup> of product)	
Ag	0.030	0.015
CN	0.038	0.019
pH	( <sup>1</sup> )	( <sup>1</sup> )

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

## Subpart B [Reserved]