

**COLORADO REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. 88-4
NPDES NO. CA0105066

**WASTE DISCHARGE REQUIREMENTS
FOR
WESTERN POWER GROUP UNIT II INC.
IMPERIAL RESOURCE RECOVERY PROJECT
15 Megawatt (Net) Biomass Waste Fueled Power Plant
South of Brawley - Imperial County**

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. Western Power Group Unit II Inc.(Corporate No. 13286950), 620 Newport Center Drive, Suite 820, Newport Beach, CA 92660 (hereinafter also referred to as the discharger), submitted via its Managing Director, Gary L. Palo, an NPDES Application for permit to discharge on August 19, 1987. Said application is assigned Application No. CA0105066.
2. The discharger proposes to discharge an average daily flow of 0.17 million gallons-per-day of wastewater to Rose Drain in the N $\frac{1}{2}$ of Section 27, T14S, R14E, SBB&M. After discharge to Rose Drain, the wastewater would flow about five miles to the Alamo River and then twentynine miles to the Salton Sea.
3. The discharge is from a 15 megawatt (net) power generating station which would utilize a combination of crop residue and cattle manure as fuel. Approximately 50 tons per day of ash will be generated by the combustion process. The ash would be stored temporarily in a storage silo before being transported by truck for disposal at a nearby privately owned landfill. Based on tests conducted by Brown and Caldwell Laboratories of manure and crop waste ash samples, the discharger has received a conditional finding from the California Department of Health Services that the ash is nonhazardous. Further tests of the ash produced during operation of the facility will be required prior to disposal.
4. EPA 40 CFR 423, Steam Electric Power Generating Point Source Category, does not strictly apply to this discharge because the power plant does not utilize a fossil fuel. However, there is adequate justification for applying the applicable portions of EPA 40 CFR 423.15 "New Source Performance Standards", for the following waste streams:
 - a. Low volume waste sources
 - b. Metal cleaning wastes
 - c. Cooling tower blowdown

*Superseded
3/31/93
Jeg 93-011*

5. The discharger would utilize water supplied by Imperial Irrigation District via pipeline from the Redwood Lateral. The incoming water would be treated with the following chemicals:

<u>Chemical Name</u>	<u>Dosage</u>	<u>Purpose of Treatment</u>
a. Drewgard 303 (Olefin polymer)	40 to 60 ppm (Vol.)	Deposit Inhibitor (CWT)*
b. Drewgard 302 (Polyphosphate)	80 to 100 ppm (Vol.)	Corrosion Inhibitor (CWT)
c. Biosperse 250 (5-Chloro-2-Methyl- 4-isothiazolin-3-one, 2-methyl- 4-isothiazolin-3-one)	25 to 100 ppm (Vol)	Control of bacteria, fungi and algae (CWT)
d. Amersite 70 (Methyl Ethyl Ketone and Oxime)	To be determined during operation	Corrosion Inhibitor(BWT)**
e. Amercor 8750 (Cyclohexylamine and Morpholine)	To be determined during operation	Corrosion Inhibitor (BWT)
f. Drewplex 502 (Sodium polyacrylate potassium hydroxide and glycol	To be determined during operation	Sludge Conditioner (BWT)
g. Adjunct B (pure grade neutral phosphate)	To be determined during operation	Deposit Inhibitor (BWT)
h. Chlorine	To be determined during operation	Raw water Treatment

* Cooling Water Treatment

** Boiler Water Treatment

By letter dated December 23, 1986, Drew Chemical Corporation states that except for item c., none of the above items a. through h. contain any of the 126 compounds identified in EPA's Priority Pollutants list. Item c. (Biosperse 250) contains less than one percent cupric nitrate. Copper is listed as a Priority Pollutant. The discharger reports that the quantity of copper in the discharge would be in compliance with the quantity allowed in EPA 40 CFR Part 423.15.

6. The Water Quality Control Plan for the Colorado River Basin Region of California was adopted by the Regional Board on November 14, 1984. This Order implements the objectives stated in said Plan.
7. The beneficial uses of water in Alamo River and Imperial Valley Drains discharging thereto are:
 - a. Freshwater replenishment for Salton Sea.
 - b. Freshwater habitat for fish and wildlife.
 - c. Recreation - non-water contact
 - d. Agricultural use.
8. Imperial County Planning Department adopted a Negative Declaration for this project on June 24, 1987. Said Negative Declaration indicated that this project would not have a significant effect on water quality. The County has issued the discharger a Conditional Use Permit valid for an 18 Megawatt Power Plant on August 4, 1987.
9. The Board has notified the discharger and interested agencies and persons of its intent to adopt waste discharge requirements for the proposed discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
10. The Board in a public meeting heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that Western Power Group Unit II Inc., in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

A. Effluent Limitations:

1. Low Volume Waste Sources*

The quantities of pollutants discharged from low volume waste sources shall not exceed the quantities determined by multiplying the flow of low volume waste sources times the following listed concentrations:

*See 40 CFR Part 423.11 regarding definition of low volume waste (see Attachment II)

<u>Effluent Characteristic</u>	<u>Maximum Concentration for any One Day</u>	<u>30-Day Arithmetic Mean Concentration</u>
Total Suspended Solids	100.0 mg/l	30.0 mg/l
Oil and Grease	20.0 mg/l	15.0 mg/l

2. Metal Cleaning Wastes

The concentrations of pollutants discharged in metal cleaning wastes shall not exceed the following:

<u>Effluent Characteristic</u>	<u>Maximum Concentration for any One Day</u>	<u>30-Day Arithmetic Mean Concentration</u>
Total Suspended Solids	100.0 mg/l	30.0 mg/l
Oil and Grease	20.0 mg/l	15.0 mg/l
Copper, Total	1.0 mg/l	1.0 mg/l
Iron, Total	1.0 mg/l	1.0 mg/l

3. Cooling Tower Blowdown

- a. The concentrations of pollutants discharged in cooling tower blowdown shall not exceed the following:

<u>Effluent Characteristic</u>	<u>Maximum Concentration for any One Day</u>	<u>30-Day Arithmetic Mean Concentration</u>
Free Available Chlorine	0.5 mg/l	0.2 mg/l
Chromium, Total	0.2 mg/l	0.2 mg/l
Zinc, Total	1.0 mg/l	1.0 mg/l

- b. There shall be no discharge in detectable amounts of any EPA's designated 126 priority pollutants (Appendix A, 40 CFR Part 423, 1985) contained in chemicals added for cooling tower maintenance, except as set forth for Zinc and Chromium in Effluent Limitation 3a.(above).

4. Total Discharge to Rose Drain

The concentration of pollutants discharged to Rose Drain shall not exceed the following:

<u>Constituent</u>	<u>Unit</u>	<u>Maximum Concentration for any One Day</u>	<u>30-Day Arithmetic Mean Concentration</u>
a. Total Dissolved Solids	mg/l	4500	4000
b. Total Suspended Solids	mg/l	100.0	30.0
c. Settleable Matter	ml/l	1.0	0.3

5. The pH of the discharge to Rose Drain shall be within the range of 6.0 to 9.0.
6. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
7. There shall be no storm runoff from the power plant site from a 25-year, 24-hour rainfall event as defined by the National Weather Service in Technical Paper No. 40, "Rainfall Frequency Atlas of the United States", May 1961, and subsequent amendments, or equivalent regional or state rainfall probability information developed therefrom.
8. Neither free available chlorine nor total residual chlorine may be discharged from any generating unit for more than two hours in any one day and not more than one unit may discharge free available or total residual chlorine at any one time.
9. This discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Federal Clean Water Act and regulations adopted thereunder.

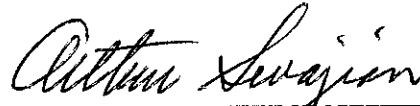
B. Provisions

1. Neither the treatment nor the discharge of waste shall cause a pollution or a nuisance.
2. Adequate protective works shall be provided to assure that a flood which would be expected to occur on a frequency of once in a 100-

- year period, would not erode or otherwise render portions of the treatment and discharge facilities inoperable.
3. This Order includes the attached "Monitoring and Reporting Program No. 88-4 and future revisions thereto, as specified by the Executive Officer, and Standard Provisions, dated December 23, 1985. (Attachment I)
 4. This Order expires five (5) years from January 27, 1988, and the discharger shall file a Report of Waste Discharge in accordance with Title 23, California Administrative Code, not later than 180 days in advance of such date as an application for issuance of new waste discharge requirements.
 5. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Clean Water Act or Amendment thereto and shall become effective ten (10) days after date of its adoption provided the Regional Administrator, Environmental Protection Agency, has no objections.
 6. Any proposed corrosion control or biological control treatment(s) utilized in the cooling towers shall be reported to the Board along with a listing of any of EPA's 126 priority pollutants contained in the materials used for said treatment(s).
 7. Bioassays shall be performed quarterly to evaluate the toxicity of the discharged wastewater in accordance with the following procedures:
 - a. Within four (4) months of the effective date of this Order, the discharger shall begin conducting bioassays on the fish *Pimephales promelas* (fathead minnow) and on the plant *Lemnia*, sp. (duckweed). Fish bioassays shall be performed according to the protocol given in EPA/600/4-85/014 - Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Waters to Freshwater Organisms. Plant bioassays shall be performed according to the draft ASTM protocol: Proposed New Standard Guidelines for Conducting State Toxicity Tests With Duckweed, February 1986.
 - b. The bioassay test specified above in 8a. shall be performed quarterly for a period of at least one year (minimum of four tests per organism).
 - c. When the program described above in 8a. and 8b. have been completed, this permit will be reopened. At that time, effluent variability will be calculated and a numerical effluent limit established for toxicity. Compliance monitoring shall then be based on annual bioassays of the organism which showed greater sensitivity during the effluent characterization program. Selection of the more sensitive species will be made by the Regional Board.

8. When the sampling frequency is greater than one day and a value exceeds the monthly average, the sampling frequency shall be increased to daily until such time as full compliance with the daily and monthly values is indicated.
9. Prior to any change of ownership of this operation the discharger shall transmit a copy of this Order to the succeeding owner/operator, and forward a copy of the transmittal letter to this Board.

I, Arthur Swajian, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on January 27, 1988.



Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

MONITORING AND REPORTING PROGRAM NO. 88-4
FOR
WESTERN POWER GROUP UNIT II, INC.
Imperial Resource Recovery Project
15 Megawatt (Net) Biomass Waste Fueled Power Plant
South of Brawley - Imperial County

Location of Discharge: N½ of Section 27, T14S, R14E, SBB&M

EFFLUENT MONITORING

Wastewater discharged to Rose Drain and wastewater from each of the source waste streams designated in the Effluent Limitations, shall be monitored separately and reported as follows:

Constituent	Type of Unit	Sample	Sampling Frequency	Waste* Stream
1. Total Suspended Solids	mg/l	Grab	Weekly	a,c,d
2. Free Available Chlorine	mg/l	Grab	Daily, Monday holidays excepted	c through Friday
3. Oil and Grease	mg/l	Grab	Weekly	a,b
4. Zinc (Zn)	mg/l	Grab	Daily	c
5. Copper (Total)	mg/l	Grab	Daily	b
6. Chromium (Total)	mg/l	Grab	Daily	c
7. Iron (Total)	mg/l	Grab	Daily	b
8. Total Dissolved Solids	mg/l	Grab	Weekly	d
9. pH	-	Grab	Daily	d
10. Settleable Matter	ml/l	Grab	Weekly	d

*
a. Low Volume Waste Sources
b. Metal Cleaning Waste
c. Cooling Tower Blowdown
d. Discharge to Rose Drain

Constituent	Type of Unit	Sample	Sampling Frequency	Waste* Stream
11. Flow Discharged to Rose Drain	GPD	-	Daily Reported monthly with average daily flow calculated	d
12. Bioassay	-	-	Quarterly	d

Prior to commencement of use of any new cooling tower maintenance chemical, the discharger shall report thereon in accordance with Provision B.6 and B.7 of Order No. 88-4

Reporting

1. The discharger shall inform the Regional Board's Office concerning the location of all sampling stations for the above monitoring.
2. Daily, weekly and monthly reports shall be submitted to the Regional Board by the fifteenth day (15) of the following month.
3. The discharger shall implement the above monitoring program upon commencement of discharge.

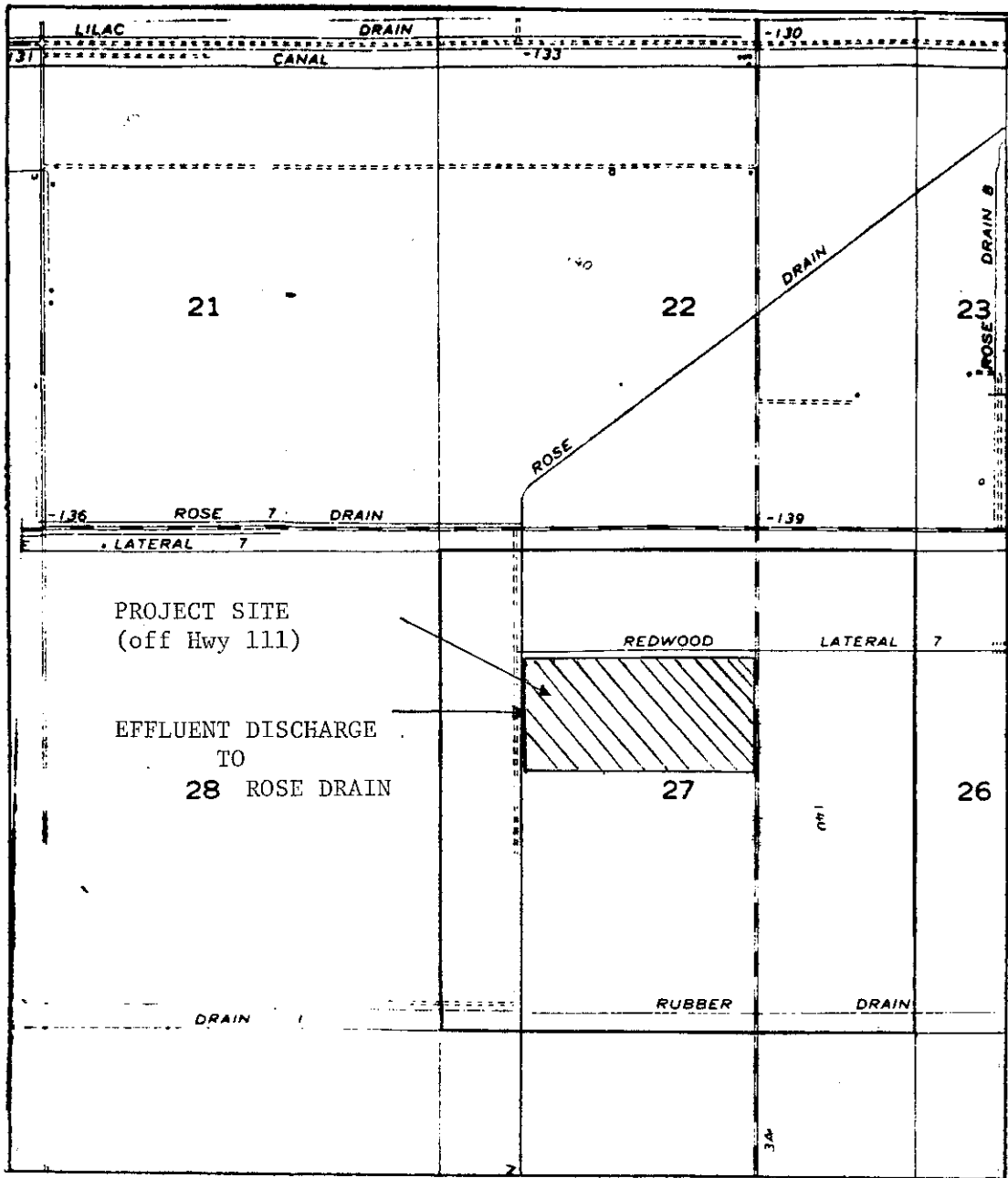
Forward monitoring reports to:

California Reigonal Water Quality Control Board
Colorado River Basin Region
73-271 Highway 111, Suite 21
Palm Desert, CA 92260

ORDERED BY: Arthur Legman
Executive Officer

January 27, 1988
Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - 7



SITE MAP

IMPERIAL RESOURCE RECOVERY PROJECT
 15 Megawatt (Net) Biomass Waste Fueled Power Plant
 South of Brawley - Imperial County
 Discharge Location: Rose Drain in the N $\frac{1}{2}$ of Section 27, T14S, R14E, SBB&M
 USGS Brawley 7.5 Minute Topographic Map

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

**STANDARD PROVISIONS
FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
December 23, 1985**

1. The permittee must comply with all of the terms, requirements and conditions of this permit. Any violation of this permit constitutes violation of the Clean Water Act, its regulations and the California Water Code, and is grounds for enforcement action, permit termination, permit revocation and reissuance, denial of an application for permit reissuance; or a combination thereof. [40 CFR 122.41 (a)]*
2. The permittee shall comply with effluent standards or prohibitions established under section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement. [40 CFR 122.41 (a) (1)]
3. The Clean Water Act (CWA) provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, or 308 of the CWA is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing these sections of the CWA is subject to a fine of not less than \$2500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both. [40 CFR 122.41 (a)(2)]

The California Water Code provides that any person who violates a waste discharge requirement (same as permit condition), or a provision of the California Water code is subject to civil penalties of up to \$5,000 per day, \$10,000 per day, or \$25,000 per day of violation, or when the violation involves the discharge of pollutants, is subject to civil penalties of up to \$10 per gallon per day or \$20 per gallon per day of violation; or some combination thereof, depending on the violation, or upon the combination of violations.*

Violation of any of the provisions of the NPDES program or of any of the provisions of this permit may subject the violator to any of the penalties described herein, or any combination thereof, at the discretion of the prosecuting authority; except that only one kind of penalty may be applied for each kind of violation.*

4. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. [40 CFR 122.41 (b)]
5. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [40 CFR 122.41 (c)]

*These paragraphs are added or modified pursuant to the California Water Code.

6. The permittee shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment. [40 CFR 122.41 (d)]
7. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities, or similar systems that are installed by a permittee, only when necessary to achieve compliance with the conditions of this permit. [40 CFR 122.41 (e)]
8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [40 CFR 122.41 (f)]
9. This permit does not convey any property rights of any sort, or any exclusive privilege. [40 CFR 122.41 (g)]
10. The permittee shall furnish, within a reasonable time, any information the Regional Board or EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit. The permittee shall also furnish to the Regional Board, upon request, copies of records required to be kept by this permit. [40 CFR 122.41 (h)]
11. The Regional Board, EPA, and other authorized representatives shall be allowed:
 - a. Entry upon premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this permit;
 - b. Access to copy any records that are kept under the conditions of this permit;
 - c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - d. To photograph, sample, and monitor for the purpose of assuring compliance with this permit, or as otherwise authorized by the Clean Water Act. [40 CFR 122.41 (i)]

Monitoring and records

12. a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. The permittee shall retain records of all monitoring information, including all calibration and maintenance monitoring instrumentation, copies of all

reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report, or application. This period may be extended by request of the Regional Board or EPA at any time.

- c. Records of monitoring information shall include:
 - (i) The date, exact place, and time of sampling or measurements;
 - (ii) The individual(s) who performed the sampling or measurements;
 - (iii) The date(s) analyses were performed;
 - (iv) The individual(s) who perform the analyses;
 - (v) The analytical techniques or methods used; and
 - (vi) The results of such analyses.
 - d. Monitoring must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in this permit.
 - e. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or be imprisoned for not more than six months per violation, or by both. [40 CFR 122.41 (j)]
13. All applications, reports, or information submitted to the Regional Board shall be signed and certified in accordance with 40 CFR 122.22 [40 CFR 122.41 (k) (1)]
14. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both. [40 CFR 122.41 (k)(2)]
15. Reporting requirements
- a. The permittee shall give advance notice to the Regional Board as soon as possible of any planned physical alterations or additions to the permitted facility.
 - b. The permittee shall give advance notice to the Regional Board of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.
 - c. This permit is not transferable to any person except after notice to the Regional Board. The Regional Board may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

- d. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (i) Monitoring results must be reported on a Discharge Monitoring Report (DMR).
 - (ii) If the permittee monitors any pollutant more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
 - (iii) Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- e. Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any compliance schedule of this permit, shall be submitted no later than 14 days following each schedule date.
- f. Twenty-four hour reporting.
- (i) The permittee shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - (ii) The following shall be included as information that must be reported within 24 hours under this paragraph:
 - (a) Any unanticipated bypass that exceeds any effluent limitation in the permit.
 - (b) Any upset that exceeds any effluent limitation in the permit.
 - (c) Violation of a maximum daily discharge limitation for any of the pollutants listed in this permit to be reported within 24 hours.
 - (iii) The Regional Board may waive the above-required written report on a case-by-case basis.
- g. The permittee shall report all instances of noncompliance not otherwise reported under the above paragraphs at the time monitoring reports are submitted. The reports shall contain all information listed in paragraph 13(f) above. [40 CFR 122.41 (1)]
16. Bypass (the intentional diversion of waste streams from any portion of a treatment facility) is prohibited. The Regional Board may take enforcement action against the discharger for bypass unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production).
- b. There were no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment down time. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass that could occur during normal periods of equipment downtime or preventive maintenance; and
- c. The permittee submitted a notice at least ten days in advance of the need for a bypass to the appropriate Regional Board.

The permittee may allow a bypass to occur that does not cause effluent limitations to be exceeded, but only if it is for essential maintenance to assure efficient operation. In such a case, the above bypass conditions are not applicable.

The permittee shall submit notice of an unanticipated bypass as required in paragraph 13 (f) above.
[40 CFR 122.41 (m)]

17. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper action. A permittee that wishes to establish the affirmative defense of an upset in an action brought for noncompliance shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. an upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. the permitted facility was being properly operated at the time of the upset;
 - c. the permittee submitted notice of the upset as required in paragraph 13(f) above; and
 - d. the permittee complied with any remedial measures required under paragraph 5.

No determination made before an action for noncompliance, such as during administrative review of claims that noncompliance was caused by an upset, is final administrative action subject to judicial review.

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

[40 CFR 122.41 (n)]

18. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Regional Board as soon as they know or have reason to believe:

a. that any activity has occurred or will occur that would result in the discharge of any toxic pollutant that is not limited in this permit, if that discharge will exceed the highest of the following "notification levels:"

- (i) One hundred micrograms per liter (100 ug/l);
- (ii) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
- (iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
- (iv) The level established by the Regional Board in accordance with [40 CFR 122.44 (f)]

b. that they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant that was not reported in the permit application.
[40 CFR 122.42 (a)]

19. All POTWs must provide adequate notice to the Regional Board of:

- a Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the Clean Water Act, if it were directly discharging those pollutants.
- b Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

[40 CFR 122.42 (b)]

END

(Metric units (kg/kg of product); English units (lb/1,000 lb of product))

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Total phosphorus (as P).....	0.56	0.26
Fluoride (as F).....	.21	.11

[44 FR 50744, Aug. 29, 1979]

§ 422.64 [Reserved]

§ 422.65 Standards of performance for new sources.

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 standards of performance for new sources:

(Metric units (kg/kg of product); English units (lb/1,000 lb of product))

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
TSS.....	0.35	0.18
Total phosphorus (as P).....	.56	.26
Fluoride (as F).....	.21	.11
pH.....	(¹)	(¹)

¹ Within the range 6.0 to 9.5.

PART 423—STEAM ELECTRIC POWER GENERATING POINT SOURCE CATEGORY

Sec.

423.10 Applicability.

423.11 Specialized definitions.

423.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

423.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Sec.

423.14 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT). [Reserved]

423.15 New source performance standards (NSPS).

423.16 Pretreatment standards for existing sources (PSES).

423.17 Pretreatment standards for new sources (PSNS).

APPENDIX A—126 PRIORITY POLLUTANTS

AUTHORITY: Sec. 301; 304(b), (c), (e), and (g); 306(b) and (c); 307(b) and (c); and 501. Clean Water Act (Federal Water Pollution Control Act Amendments of 1972, as amended by Clean Water Act of 1977) (the "Act"; 33 U.S.C. 1311; 1314(b), (c), (e), and (g); 1316(b) and (c); 1317(b) and (c); and 1361; 86 Stat. 816, Pub. L. 92-500; 91 Stat. 1567, Pub. L. 95-217).

SOURCE: 47 FR 52304, Nov. 19, 1982, unless otherwise noted.

EDITORIAL NOTE: For compliance requirements, see 47 FR 52290, Nov. 19, 1982.

§ 423.10 Applicability.

The provisions of this part are applicable to discharges resulting from the operation of a generating unit by an establishment primarily engaged in the generation of electricity for distribution and sale which results primarily from a process utilizing fossil-type fuel (coal, oil, or gas) or nuclear fuel in conjunction with a thermal cycle employing the steam water system as the thermodynamic medium.

§ 423.11 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definitions apply to this part:

(a) The term "total residual chlorine" (or total residual oxidants for intake water with bromides) means the value obtained using the amperometric method for total residual chlorine described in 40 CFR Part 136.

(b) The term "low volume waste sources" means, taken collectively as if from one source, wastewater from all sources except those for which specific limitations are otherwise established in this part. Low volume wastes sources include, but are not limited to: wastewaters from wet scrubber air pollution control systems, ion exchange water treatment system, water treat-

ment evaporator blowdown, laboratory and sampling streams, boiler blowdown, floor drains, cooling tower basin cleaning wastes, and recirculating house service water systems. Sanitary and air conditioning wastes are not included.

(c) The term "chemical metal cleaning waste" means any wastewater resulting from the cleaning of any metal process equipment with chemical compounds, including, but not limited to, boiler tube cleaning.

(d) The term "metal cleaning waste" means any wastewater resulting from cleaning [with or without chemical cleaning compounds] any metal process equipment including, but not limited to, boiler tube cleaning, boiler fire-side cleaning, and air preheater cleaning.

(e) The term "fly ash" means the ash that is carried out of the furnace by the gas stream and collected by mechanical precipitators, electrostatic precipitators, and/or fabric filters. Economizer ash is included when it is collected with fly ash.

(f) The term "bottom ash" means the ash that drops out of the furnace gas stream in the furnace and in the economizer sections. Economizer ash is included when it is collected with bottom ash.

(g) The term "once through cooling water" means water passed through the main cooling condensers in one or two passes for the purpose of removing waste heat.

(h) The term "recirculated cooling water" means water which is passed through the main condensers for the purpose of removing waste heat, passed through a cooling device for the purpose of removing such heat from the water and then passed again, except for blowdown, through the main condenser.

(i) The term "10 year, 24/hour rainfall event" means a rainfall event with a probable recurrence interval of once in ten years as defined by the National Weather Service in Technical Paper No. 40, "Rainfall Frequency Atlas of the United States," May 1961 or equivalent regional rainfall probability information developed therefrom.

(j) The term "blowdown" means the minimum discharge of recirculating

water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentration in amounts exceeding limits established by best engineering practices.

(k) The term "average concentration" as it relates to chlorine discharge means the average of analyses made over a single period of chlorine release which does not exceed two hours.

(l) The term "free available chlorine" shall mean the value obtained using the amperometric titration method for free available chlorine described in "Standard Methods for the Examination of Water and Wastewater," page 112 (13th edition).

(m) The term "coal pile runoff" means the rainfall runoff from or through any coal storage pile.

§ 423.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

(a) 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, utilization of facilities, raw materials, manufacturing processes, non-water quality environmental impacts, control and 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 or 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