

days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement; or

(d) Allow for a change in ownership or operational control of a facility where the Director determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittees has been submitted to the Director.

(e)(1) Change the construction schedule for a discharger which is a new source. No such change shall affect a discharger's obligation to have all pollution control equipment installed and in operation prior to discharge under § 122.29.

(2) Delete a point source outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits.

(f) [Reserved]

(g) Incorporate conditions of a POTW pretreatment program that has been approved in accordance with the procedures in 40 CFR 403.11 (or a modification thereto that has been approved in accordance with the procedures in 40 CFR 403.18) as enforceable conditions of the POTW's permits.

[48 FR 14153, Apr. 1, 1983, as amended at 49 FR 38051, Sept. 26, 1984; 51 FR 20431, June 4, 1986; 53 FR 40616, Oct. 17, 1988; 60 FR 33931, June 29, 1995]

**§ 122.64 Termination of permits (applicable to State programs, see § 123.25).**

(a) The following are causes for terminating a permit during its term, or for denying a permit renewal application:

(1) Noncompliance by the permittee with any condition of the permit;

(2) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;

(3) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels

by permit modification or termination; or

(4) A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit (for example, plant closure or termination of discharge by connection to a POTW).

(b) The Director shall follow the applicable procedures in part 124 or part 22 of this chapter, as appropriate (or State procedures equivalent to part 124) in terminating any NPDES permit under this section, except that if the entire discharge is permanently terminated by elimination of the flow or by connection to a POTW (but not by land application or disposal into a well), the Director may terminate the permit by notice to the permittee. Termination by notice shall be effective 30 days after notice is sent, unless the permittee objects within that time. If the permittee objects during that period, the Director shall follow part 124 of this chapter or applicable State procedures for termination. Expedited permit termination procedures are not available to permittees that are subject to pending State and/or Federal enforcement actions including citizen suits brought under State or Federal law. If requesting expedited permit termination procedures, a permittee must certify that it is not subject to any pending State or Federal enforcement actions including citizen suits brought under State or Federal law. State-authorized NPDES programs are not required to use part 22 of this chapter procedures for NPDES permit terminations.

[48 FR 14153, Apr. 1, 1983; 50 FR 6940, Feb. 19, 1985, as amended at 54 FR 18784, May 2, 1989; 65 FR 30909, May 15, 2000]

APPENDIX A TO PART 122—NPDES  
PRIMARY INDUSTRY CATEGORIES

Any permit issued after June 30, 1981 to dischargers in the following categories shall include effluent limitations and a compliance schedule to meet the requirements of section 301(b)(2)(A), (C), (D), (E) and (F) of CWA, whether or not applicable effluent limitations guidelines have been promulgated. See §§ 122.44 and 122.46.

*Industry Category*

Adhesives and sealants

Aluminum forming  
 Auto and other laundries  
 Battery manufacturing  
 Coal mining  
 Coil coating  
 Copper forming  
 Electrical and electronic components  
 Electroplating  
 Explosives manufacturing  
 Foundries  
 Gum and wood chemicals  
 Inorganic chemicals manufacturing  
 Iron and steel manufacturing  
 Leather tanning and finishing  
 Mechanical products manufacturing  
 Nonferrous metals manufacturing  
 Ore mining  
 Organic chemicals manufacturing  
 Paint and ink formulation  
 Pesticides  
 Petroleum refining  
 Pharmaceutical preparations  
 Photographic equipment and supplies  
 Plastics processing  
 Plastic and synthetic materials manufacturing  
 Porcelain enameling  
 Printing and publishing  
 Pulp and paper mills  
 Rubber processing  
 Soap and detergent manufacturing  
 Steam electric power plants  
 Textile mills  
 Timber products processing

APPENDIX B TO PART 122—CRITERIA FOR DETERMINING A CONCENTRATED ANIMAL FEEDING OPERATION (§ 122.23)

An animal feeding operation is a concentrated animal feeding operation for purposes of § 122.23 if either of the following criteria are met.

(a) More than the numbers of animals specified in any of the following categories are confined:

- (1) 1,000 slaughter and feeder cattle,
- (2) 700 mature dairy cattle (whether milked or dry cows),
- (3) 2,500 swine each weighing over 25 kilograms (approximately 55 pounds),
- (4) 500 horses,
- (5) 10,000 sheep or lambs,
- (6) 55,000 turkeys,
- (7) 100,000 laying hens or broilers (if the facility has continuous overflow watering),
- (8) 30,000 laying hens or broilers (if the facility has a liquid manure system),
- (9) 5,000 ducks, or
- (10) 1,000 animal units; or

(b) More than the following number and types of animals are confined:

- (1) 300 slaughter or feeder cattle,
- (2) 200 mature dairy cattle (whether milked or dry cows),
- (3) 750 swine each weighing over 25 kilograms (approximately 55 pounds),

- (4) 150 horses,
- (5) 3,000 sheep or lambs,
- (6) 16,500 turkeys,
- (7) 30,000 laying hens or broilers (if the facility has continuous overflow watering),
- (8) 9,000 laying hens or broilers (if the facility has a liquid manure handling system),
- (9) 1,500 ducks, or
- (10) 300 animal units;

and either one of the following conditions are met: pollutants are discharged into navigable waters through a manmade ditch, flushing system or other similar man-made device; or pollutants are discharged directly into waters of the United States which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation.

Provided, however, that no animal feeding operation is a concentrated animal feeding operation as defined above if such animal feeding operation discharges only in the event of a 25 year, 24-hour storm event.

The term *animal unit* means a unit of measurement for any animal feeding operation calculated by adding the following numbers: the number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over 25 kilograms (approximately 55 pounds) multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.

The term *manmade* means constructed by man and used for the purpose of transporting wastes.

APPENDIX C TO PART 122—CRITERIA FOR DETERMINING A CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY (§ 122.24)

A hatchery, fish farm, or other facility is a concentrated aquatic animal production facility for purposes of § 122.24 if it contains, grows, or holds aquatic animals in either of the following categories:

(a) Cold water fish species or other cold water aquatic animals in ponds, raceways, or other similar structures which discharge at least 30 days per year but does not include:

(1) Facilities which produce less than 9,090 harvest weight kilograms (approximately 20,000 pounds) of aquatic animals per year; and

(2) Facilities which feed less than 2,272 kilograms (approximately 5,000 pounds) of food during the calendar month of maximum feeding.

(b) Warm water fish species or other warm water aquatic animals in ponds, raceways, or other similar structures which discharge at least 30 days per year, but does not include:

(1) Closed ponds which discharge only during periods of excess runoff; or

**Environmental Protection Agency**

**Pt. 122, App. D**

(2) Facilities which produce less than 45,454 harvest weight kilograms (approximately 100,000 pounds) of aquatic animals per year.

“Cold water aquatic animals” include, but are not limited to, the *Salmonidae* family of fish; e.g., trout and salmon.

“Warm water aquatic animals” include, but are not limited to, the *Ameiuride*, *Centrarchidae* and *Cyprinidae* families of fish; e.g., respectively, catfish, sunfish and minnows.

**APPENDIX D TO PART 122—NPDES PERMIT APPLICATION TESTING REQUIREMENTS (§ 122.21)**

**TABLE I—TESTING REQUIREMENTS FOR ORGANIC TOXIC POLLUTANTS BY INDUSTRIAL CATEGORY FOR EXISTING DISCHARGERS**

Industrial category	GC/MS Fraction <sup>1</sup>			
	Volatile	Acid	Base/neutral	Pesticide
Adhesives and Sealants .....	2	2	2	
Aluminum Forming .....	2	2	2	
Auto and Other Laundries .....	2	2	2	2
Battery Manufacturing .....	2	2	2	
Coal Mining .....	2	2	2	2
Coil Coating .....	2	2	2	
Copper Forming .....	2	2	2	
Electric and Electronic Components .....	2	2	2	2
Electroplating .....	2	2	2	
Explosives Manufacturing .....		2	2	
Foundries .....	2	2	2	
Gum and Wood Chemicals .....	2	2	2	2
Inorganic Chemicals Manufacturing .....	2	2	2	
Iron and Steel Manufacturing .....	2	2	2	
Leather Tanning and Finishing .....	2	2	2	2
Mechanical Products Manufacturing .....	2	2	2	
Nonferrous Metals Manufacturing .....	2	2	2	2
Ore Mining .....	2	2	2	2
Organic Chemicals Manufacturing .....	2	2	2	2
Paint and Ink Formulation .....	2	2	2	2
Pesticides .....	2	2	2	2
Petroleum Refining .....	2	2	2	2
Pharmaceutical Preparations .....	2	2	2	
Photographic Equipment and Supplies .....	2	2	2	2
Plastic and Synthetic Materials Manufacturing .....	2	2	2	2
Plastic Processing .....	2			
Porcelain Enameling .....	2		2	2
Printing and Publishing .....	2	2	2	2
Pulp and Paper Mills .....	2	2	2	2
Rubber Processing .....	2	2	2	
Soap and Detergent Manufacturing .....	2	2	2	

**TABLE I—TESTING REQUIREMENTS FOR ORGANIC TOXIC POLLUTANTS BY INDUSTRIAL CATEGORY FOR EXISTING DISCHARGERS—Continued**

Industrial category	GC/MS Fraction <sup>1</sup>			
	Volatile	Acid	Base/neutral	Pesticide
Steam Electric Power Plants .....	2	2	2	
Textile Mills .....	2	2	2	2
Timber Products Processing .....	2	2	2	2

<sup>1</sup>The toxic pollutants in each fraction are listed in Table II.  
<sup>2</sup>Testing required.

**TABLE II—ORGANIC TOXIC POLLUTANTS IN EACH OF FOUR FRACTIONS IN ANALYSIS BY GAS CHROMATOGRAPHY/MASS SPECTROSCOPY (GS/MS)**

<i>Volatiles</i>	
1V	acrolein
2V	acrylonitrile
3V	benzene
5V	bromoform
6V	carbon tetrachloride
7V	chlorobenzene
8V	chlorodibromomethane
9V	chloroethane
10V	2-chloroethylvinyl ether
11V	chloroform
12V	dichlorobromomethane
14V	1,1-dichloroethane
15V	1,2-dichloroethane
16V	1,1-dichloroethylene
17V	1,2-dichloropropane
18V	1,3-dichloropropylene
19V	ethylbenzene
20V	methyl bromide
21V	methyl chloride
22V	methylene chloride
23V	1,1,2-tetrachloroethane
24V	tetrachloroethylene
25V	toluene
26V	1,2-trans-dichloroethylene
27V	1,1,1-trichloroethane
28V	1,1,2-trichloroethane
29V	trichloroethylene
31V	vinyl chloride
<i>Acid Compounds</i>	
1A	2-chlorophenol
2A	2,4-dichlorophenol
3A	2,4-dimethylphenol
4A	4,6-dinitro-o-cresol
5A	2,4-dinitrophenol
6A	2-nitrophenol
7A	4-nitrophenol
8A	p-chloro-m-cresol
9A	pentachlorophenol
10A	phenol
11A	2,4,6-trichlorophenol
<i>Base/Neutral</i>	
1B	acenaphthene

Pt. 122, App. D

40 CFR Ch. I (7-1-00 Edition)

2B acenaphthylene  
 3B anthracene  
 4B benzidine  
 5B benzo(a)anthracene  
 6B benzo(a)pyrene  
 7B 3,4-benzofluoranthene  
 8B benzo(ghi)perylene  
 9B benzo(k)fluoranthene  
 10B bis(2-chloroethoxy)methane  
 11B bis(2-chloroethyl)ether  
 12B bis(2-chloroisopropyl)ether  
 13B bis(2-ethylhexyl)phthalate  
 14B 4-bromophenyl phenyl ether  
 15B butylbenzyl phthalate  
 16B 2-chloronaphthalene  
 17B 4-chlorophenyl phenyl ether  
 18B chrysene  
 19B dibenzo(a,h)anthracene  
 20B 1,2-dichlorobenzene  
 21B 1,3-dichlorobenzene  
 22B 1,4-dichlorobenzene  
 23B 3,3'-dichlorobenzidine  
 24B diethyl phthalate  
 25B dimethyl phthalate  
 26B di-n-butyl phthalate  
 27B 2,4-dinitrotoluene  
 28B 2,6-dinitrotoluene  
 29B di-n-octyl phthalate  
 30B 1,2-diphenylhydrazine (as azobenzene)  
 31B fluoranthene  
 32B fluorene  
 33B hexachlorobenzene  
 34B hexachlorobutadiene  
 35B hexachlorocyclopentadiene  
 36B hexachloroethane  
 37B indeno(1,2,3-cd)pyrene  
 38B isophorone  
 39B naphthalene  
 40B nitrobenzene  
 41B N-nitrosodimethylamine  
 42B N-nitrosodi-n-propylamine  
 43B N-nitrosodiphenylamine  
 44B phenanthrene  
 45B pyrene  
 46B 1,2,4-trichlorobenzene

*Pesticides*

1P aldrin  
 2P alpha-BHC  
 3P beta-BHC  
 4P gamma-BHC  
 5P delta-BHC  
 6P chlordane  
 7P 4,4'-DDT  
 8P 4,4'-DDE  
 9P 4,4'-DDD  
 10P dieldrin  
 11P alpha-endosulfan  
 12P beta-endosulfan  
 13P endosulfan sulfate  
 14P endrin  
 15P endrin aldehyde  
 16P heptachlor  
 17P heptachlor epoxide  
 18P PCB-1242  
 19P PCB-1254  
 20P PCB-1221

21P PCB-1232  
 22P PCB-1248  
 23P PCB-1260  
 24P PCB-1016  
 25P toxaphene

TABLE III—OTHER TOXIC POLLUTANTS (METALS AND CYANIDE) AND TOTAL PHENOLS

Antimony, Total  
 Arsenic, Total  
 Beryllium, Total  
 Cadmium, Total  
 Chromium, Total  
 Copper, Total  
 Lead, Total  
 Mercury, Total  
 Nickel, Total  
 Selenium, Total  
 Silver, Total  
 Thallium, Total  
 Zinc, Total  
 Cyanide, Total  
 Phenols, Total

TABLE IV—CONVENTIONAL AND NONCONVENTIONAL POLLUTANTS REQUIRED TO BE TESTED BY EXISTING DISCHARGERS IF EXPECTED TO BE PRESENT

Bromide  
 Chlorine, Total Residual  
 Color  
 Fecal Coliform  
 Fluoride  
 Nitrate-Nitrite  
 Nitrogen, Total Organic  
 Oil and Grease  
 Phosphorus, Total  
 Radioactivity  
 Sulfate  
 Sulfide  
 Sulfite  
 Surfactants  
 Aluminum, Total  
 Barium, Total  
 Boron, Total  
 Cobalt, Total  
 Iron, Total  
 Magnesium, Total  
 Molybdenum, Total  
 Manganese, Total  
 Tin, Total  
 Titanium, Total

TABLE V—TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES REQUIRED TO BE IDENTIFIED BY EXISTING DISCHARGERS IF EXPECTED TO BE PRESENT

*Toxic Pollutants*

Asbestos

*Hazardous Substances*

Acetaldehyde  
 Allyl alcohol  
 Allyl chloride  
 Amyl acetate  
 Aniline  
 Benzotrile  
 Benzyl chloride

Butyl acetate  
 Butylamine  
 Captan  
 Carbaryl  
 Carbofuran  
 Carbon disulfide  
 Chlorpyrifos  
 Coumaphos  
 Cresol  
 Crotonaldehyde  
 Cyclohexane  
 2,4-D (2,4-Dichlorophenoxy acetic acid)  
 Diazinon  
 Dicamba  
 Dichlobenil  
 Dichlone  
 2,2-Dichloropropionic acid  
 Dichlorvos  
 Diethyl amine  
 Dimethyl amine  
 Dintrobenzene  
 Diquat  
 Disulfoton  
 Diuron  
 Epichlorohydrin  
 Ethion  
 Ethylene diamine  
 Ethylene dibromide  
 Formaldehyde  
 Furfural  
 Guthion  
 Isoprene  
 Isopropanolamine Dodecylbenzenesulfonate  
 Kelthane  
 Kepone  
 Malathion  
 Mercaptodimethur  
 Methoxychlor  
 Methyl mercaptan  
 Methyl methacrylate  
 Methyl parathion  
 Mevinphos  
 Mexacarbate  
 Monoethyl amine  
 Monomethyl amine  
 Naled  
 Napthenic acid  
 Nitrotoluene  
 Parathion  
 Phenolsulfanate  
 Phosgene  
 Propargite  
 Propylene oxide  
 Pyrethrins  
 Quinoline  
 Resorcinol  
 Strontium  
 Strychnine  
 Styrene  
 2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)  
 TDE (Tetrachlorodiphenylethane)  
 2,4,5-TP [2-(2,4,5-Trichlorophenoxy) pro-  
 panoic acid]  
 Trichlorofan  
 Triethanolamine dodecylbenzenesulfonate  
 Triethylamine  
 Trimethylamine

Uranium  
 Vanadium  
 Vinyl acetate  
 Xylene  
 Xylenol  
 Zirconium

[Note 1: The Environmental Protection Agency has suspended the requirements of § 122.21(g)(7)(ii)(A) and Table I of Appendix D as they apply to certain industrial categories. The suspensions are as follows:

a. At 46 FR 2046, Jan. 8, 1981, the Environmental Protection Agency suspended until further notice § 122.21(g)(7)(ii)(A) as it applies to coal mines.

b. At 46 FR 22585, Apr. 20, 1981, the Environmental Protection Agency suspended until further notice § 122.21(g)(7)(ii)(A) and the corresponding portions of Item V-C of the NPDES application Form 2c as they apply to:

1. Testing and reporting for all four organic fractions in the Greige Mills Subcategory of the Textile Mills industry (Subpart C—Low water use processing of 40 CFR part 410), and testing and reporting for the pesticide fraction in all other subcategories of this industrial category.

2. Testing and reporting for the volatile, base/neutral and pesticide fractions in the Base and Precious Metals Subcategory of the Ore Mining and Dressing industry (subpart B of 40 CFR part 440), and testing and reporting for all four fractions in all other subcategories of this industrial category.

3. Testing and reporting for all four GC/MS fractions in the Porcelain Enameling industry.

c. At 46 FR 35090, July 1, 1981, the Environmental Protection Agency suspended until further notice § 122.21(g)(7)(ii)(A) and the corresponding portions of Item V-C of the NPDES application Form 2c as they apply to:

1. Testing and reporting for the pesticide fraction in the Tall Oil Rosin Subcategory (subpart D) and Rosin-Based Derivatives Subcategory (subpart F) of the Gum and Wood Chemicals industry (40 CFR part 454), and testing and reporting for the pesticide and base/neutral fractions in all other subcategories of this industrial category.

2. Testing and reporting for the pesticide fraction in the Leather Tanning and Finishing, Paint and Ink Formulation, and Photographic Supplies industrial categories.

3. Testing and reporting for the acid, base/neutral and pesticide fractions in the Petroleum Refining industrial category.

4. Testing and reporting for the pesticide fraction in the Papergrade Sulfite subcategories (subparts J and U) of the Pulp and Paper industry (40 CFR part 430); testing and reporting for the base/neutral and pesticide fractions in the following subcategories: Deink (subpart Q), Dissolving Kraft (subpart

F), and Paperboard from Waste Paper (subpart E); testing and reporting for the volatile, base/neutral and pesticide fractions in the following subcategories: BCT Bleached Kraft (subpart H), Semi-Chemical (subparts B and C), and Nonintegrated-Fine Papers (subpart R); and testing and reporting for the acid, base/neutral, and pesticide fractions in the following subcategories: Fine Bleached Kraft (subpart I), Dissolving Sulfite Pulp (subpart K), Groundwood-Fine Papers (subpart O), Market Bleached Kraft (subpart G), Tissue from Wastepaper (subpart T), and Nonintegrated-Tissue Papers (subpart S).

5. Testing and reporting for the base/neutral fraction in the Once-Through Cooling Water, Fly Ash and Bottom Ash Transport Water process wastestreams of the Steam Electric Power Plant industrial category.

This revision continues these suspensions.]\*

For the duration of the suspensions, therefore, Table I effectively reads:

TABLE I—TESTING REQUIREMENTS FOR ORGANIC TOXIC POLLUTANTS BY INDUSTRY CATEGORY

Industry category	GC/MS fraction <sup>2</sup>			
	Volatile	Acid	Neutral	Pesticide
Adhesives and sealants ....	(1)	(1)	(1)	
Aluminum forming .....	(1)	(1)	(1)	
Auto and other laundries ...	(1)	(1)	(1)	(1)
Battery manufacturing .....	(1)		(1)	
Coal mining .....				
Coil coating .....	(1)	(1)	(1)	
Copper forming .....	(1)	(1)	(1)	
Electric and electronic compounds .....	(1)	(1)	(1)	(1)
Electroplating .....	(1)	(1)	(1)	
Explosives manufacturing .....	(1)	(1)	(1)	
Foundries .....	(1)	(1)	(1)	
Gum and wood (all subparts except D and F) ...	(1)	(1)		
Subpart D—tall oil rosin ...	(1)	(1)	(1)	
Subpart F—rosin-based derivatives .....	(1)	(1)	(1)	
Inorganic chemicals manufacturing .....	(1)	(1)	(1)	
Iron and steel manufacturing .....	(1)	(1)	(1)	
Leather tanning and finishing .....	(1)	(1)	(1)	
Mechanical products manufacturing .....	(1)	(1)	(1)	
Nonferrous metals manufacturing .....	(1)	(1)	(1)	(1)
Ore mining (applies to the base and precious metals/Subpart B) .....		(1)		
Organic chemicals manufacturing .....	(1)	(1)	(1)	(1)
Paint and ink formulation ..	(1)	(1)	(1)	
Pesticides .....	(1)	(1)	(1)	(1)
Petroleum refining .....	(1)			

TABLE I—TESTING REQUIREMENTS FOR ORGANIC TOXIC POLLUTANTS BY INDUSTRY CATEGORY—Continued

Industry category	GC/MS fraction <sup>2</sup>			
	Volatile	Acid	Neutral	Pesticide
Pharmaceutical preparations .....	(1)	(1)	(1)	
Photographic equipment and supplies .....	(1)	(1)	(1)	
Plastic and synthetic materials manufacturing .....	(1)	(1)	(1)	(1)
Plastic processing .....	(1)			
Porcelain enameling .....				
Printing and publishing .....	(1)	(1)	(1)	(1)
Pulp and paperboard mills—see footnote <sup>3</sup> .....				
Rubber processing .....	(1)	(1)	(1)	
Soap and detergent manufacturing .....	(1)	(1)	(1)	
Steam electric power plants .....	(1)	(1)		
Textile mills (Subpart C—Greige Mills are exempt from this table) .....	(1)	(1)	(1)	
Timber products processing .....	(1)	(1)	(1)	(1)

<sup>1</sup> Testing required.  
<sup>2</sup> The pollutants in each fraction are listed in Item V-C.  
<sup>3</sup> Pulp and Paperboard Mills:

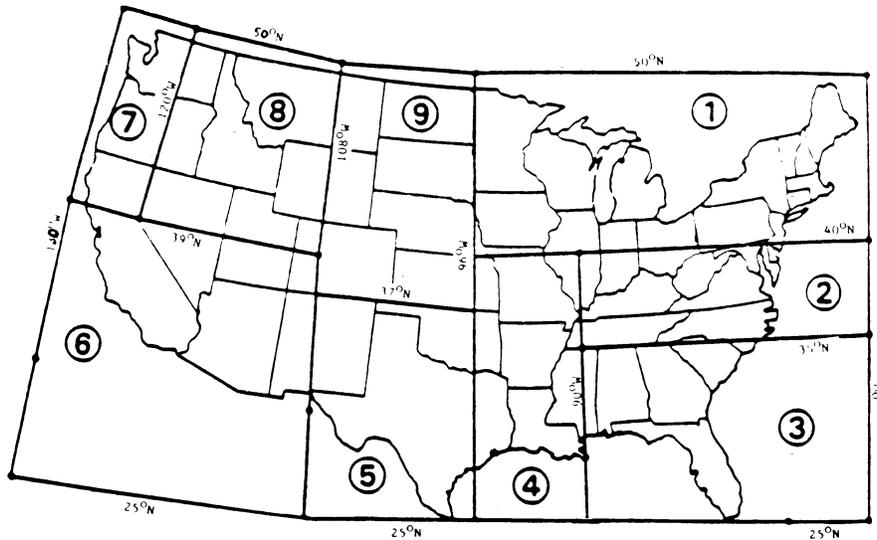
Subpart <sup>3</sup>	GS/MS fractions			
	VOA	Acid	Base/neutral	Pesticides
A .....	2	(1)	2	(1)
B .....	2	(1)	2	2
C .....	2	(1)	2	2
D .....	2	(1)	2	2
E .....	(1)	(1)	2	(1)
F .....	(1)	(1)	2	2
G .....	(1)	(1)	2	2
H .....	(1)	(1)	2	2
I .....	(1)	(1)	2	2
J .....	(1)	(1)	(1)	2
K .....	(1)	(1)	2	2
L .....	(1)	(1)	2	2
M .....	(1)	(1)	2	2
N .....	(1)	(1)	2	2
O .....	(1)	(1)	2	2
P .....	(1)	(1)	2	2
Q .....	(1)	(1)	2	(1)
R .....	2	(1)	2	2
S .....	(1)	(1)	2	(1)
T .....	(1)	(1)	2	(1)
U .....	(1)	(1)	(1)	2

<sup>1</sup> Must test.  
<sup>2</sup> Do not test unless "reason to believe" it is discharged.  
<sup>3</sup> Subparts are defined in 40 CFR Part 430.

[48 FR 14153, Apr. 1, 1983, as amended at 49 FR 38050, Sept. 26, 1984; 50 FR 6940, Feb. 19, 1985]

\* Editorial Note: The words "This revision" refer to the document published at 48 FR 14153, Apr. 1, 1983.

APPENDIX E TO PART 122— RAINFALL ZONES OF THE UNITED STATES



Not Shown: Alaska (Zone 7); Hawaii (Zone 7); Northern Mariana Islands (Zone 7); Guam (Zone 7); American Samoa (Zone 7); Trust Territory of the Pacific Islands (Zone 7); Puerto Rico (Zone 3) Virgin Islands (Zone 3).

Source: Methodology for Analysis of Detention Basins for Control of Urban Run-off Quality, prepared for U.S. Environmental Protection Agency, Office of Water, Nonpoint Source Division, Washington, DC, 1986.

[55 FR 48073, Nov. 16, 1990]

APPENDIX F TO PART 122— INCORPORATED PLACES WITH POPULATIONS GREATER THAN 250,000 ACCORDING TO THE 1990 DECENNIAL CENSUS BY THE BUREAU OF THE CENSUS

State	Incorporated Place
Alabama .....	Birmingham.
Arizona .....	Phoenix. Tucson.
California .....	Long Beach. Los Angeles. Oakland. Sacramento. San Diego. San Francisco. San Jose.
Colorado .....	Denver.
District of Columbia..	
Florida .....	Jacksonville. Miami. Tampa.
Georgia .....	Atlanta.
Illinois .....	Chicago.
Indiana .....	Indianapolis.
Kansas .....	Wichita.
Kentucky .....	Louisville.
Louisiana .....	New Orleans.
Maryland .....	Baltimore.
Massachusetts .....	Boston.

State	Incorporated Place
Michigan .....	Detroit.
Minnesota .....	Minneapolis. St. Paul.
Missouri .....	Kansas City. St. Louis.
Nebraska .....	Omaha.
New Jersey .....	Newark.
New Mexico .....	Albuquerque.
New York .....	Buffalo. Bronx Borough. Brooklyn Borough. Manhattan Borough. Queens Borough. Staten Island Borough.
North Carolina .....	Charlotte.
Ohio .....	Cincinnati. Cleveland. Columbus. Toledo.
Oklahoma .....	Oklahoma City. Tulsa.
Oregon .....	Portland.
Pennsylvania .....	Philadelphia. Pittsburgh.
Tennessee .....	Memphis. Nashville/Davidson.
Texas .....	Austin. Dallas. El Paso. Fort Worth.

**Pt. 122, App. G**

**40 CFR Ch. I (7-1-00 Edition)**

State	Incorporated Place
Virginia .....	Houston. San Antonio. Norfolk. Virginia Beach.
Washington .....	Seattle.
Wisconsin .....	Milwaukee.

[64 FR 68847, Dec. 8, 1999]

**APPENDIX G TO PART 122—  
INCORPORATED PLACES WITH POPU-  
LATIONS GREATER THAN 100,000 BUT  
LESS THAN 250,000 ACCORDING TO  
THE 1990 DECENNIAL CENSUS BY THE  
BUREAU OF THE CENSUS**

State	Incorporated place
Alabama .....	Huntsville. Mobile.
Alaska .....	Montgomery.
Arizona .....	Anchorage. Mesa.
Arkansas .....	Tempe.
California .....	Little Rock. Anaheim. Bakersfield. Berkeley. Chula Vista. Concord. El Monte. Escondido. Fremont. Fresno. Fullerton. Garden Grove. Glendale. Hayward. Huntington Beach. Inglewood. Irvine. Modesto. Moreno Valley. Oceanside. Ontario. Orange.
Colorado .....	Aurora. Colorado Springs. Lakewood. Pueblo.
Connecticut .....	Bridgeport. Hartford. New Haven. Stamford. Waterbury.
Florida .....	Fort Lauderdale. Hialeah. Hollywood. Orlando. St. Petersburg. Tallahassee.
Georgia .....	Columbus. Macon. Savannah.
Idaho .....	Boise City.
Illinois .....	Peoria. Rockford.
Indiana .....	Evansville. Fort Wayne. Gary.
Iowa .....	South Bend. Cedar Rapids.

State	Incorporated place
Kansas .....	Davenport. Des Moines. Kansas City. Topeka.
Kentucky .....	Lexington-Fayette.
Louisiana .....	Baton Rouge. Shreveport. Springfield. Worcester.
Massachusetts .....	Ann Arbor. Flint. Grand Rapids. Lansing. Livonia. Sterling Heights. Warren.
Michigan .....	Jackson. Independence. Springfield. Lincoln.
Mississippi .....	Las Vegas. Reno.
Missouri .....	Elizabeth. Jersey City. Paterson.
Nebraska .....	Albany. Rochester. Syracuse. Yonkers.
Nevada .....	Durham. Greensboro. Raleigh. Winston-Salem.
New Jersey .....	Akron. Dayton. Youngstown.
New York .....	Eugene.
North Carolina .....	Allentown. Erie. Providence.
Ohio .....	Columbia. Chattanooga. Knoxville.
Oregon .....	Abilene. Amarillo. Arlington. Beaumont. Corpus Christi. Garland. Irving. Laredo. Lubbock. Mesquite. Pasadena. Plano. Waco.
Pennsylvania .....	Salt Lake City.
Rhode Island .....	Alexandria. Chesapeake. Hampton. Newport News. Portsmouth. Richmond. Roanoke.
South Carolina .....	Spokane.
Tennessee .....	Tacoma.
Texas .....	Madison.
Utah .....	
Virginia .....	
Washington .....	
Wisconsin .....	

[64 FR 68848, Dec. 8, 1999]

**Environmental Protection Agency**

**Pt. 122, App. J**

**APPENDIX H TO PART 122—COUNTIES WITH UNINCORPORATED URBANIZED AREAS WITH A POPULATION OF 250,000 OR MORE ACCORDING TO THE 1990 DECENNIAL CENSUS BY THE BUREAU OF THE CENSUS**

State	County	Unincorporated urbanized population
California	Los Angeles	886,780
	Sacramento	594,889
	San Diego	250,414
Delaware	New Castle	296,996
Florida	Dade	1,014,504
Georgia	DeKalb	448,686
Hawaii	Honolulu <sup>1</sup>	114,506
Maryland	Anne Arundel	344,654
	Baltimore	627,593
	Montgomery	599,028
Texas	Prince George's	494,369
	Harris	729,206
Utah	Salt Lake	270,989
Virginia	Fairfax	760,730
Washington	King	520,468

<sup>1</sup> County was previously listed in this appendix; however, population dropped to below 250,000 in the 1990 Census.

[64 FR 68848, Dec. 8, 1999]

**APPENDIX I TO PART 122—COUNTIES WITH UNINCORPORATED URBANIZED AREAS GREATER THAN 100,000, BUT LESS THAN 250,000 ACCORDING TO THE 1990 DECENNIAL CENSUS BY THE BUREAU OF THE CENSUS**

State	County	Unincorporated urbanized population	
Alabama	Jefferson	78,608	
Arizona	Pima	162,202	
California	Alameda	115,082	
	Contra Costa	131,082	
	Kern	128,503	
	Orange	223,081	
	Riverside	166,509	
	San Bernardino	162,202	
	Arapahoe	103,248	
	Colorado	Broward	142,329
Florida	Escambia	167,463	
	Hillsborough	398,593	
	Lee	102,337	
	Manatee	123,828	
	Orange	378,611	
	Palm Beach	360,553	
	Pasco	148,907	
	Pinellas	255,772	
	Polk	121,528	
	Sarasota	172,600	
	Seminole	127,873	
	Georgia	Clayton	133,237
	Cobb		322,595
Fulton		127,776	
Gwinnett		237,305	
Kentucky	Richmond	126,476	
	Jefferson	239,430	
Louisiana	East Baton Rouge	102,539	
	Parish	331,307	

State	County	Unincorporated urbanized population
Maryland	Jefferson Parish	
	Howard	157,972
	Cumberland	146,827
Nevada	Clark	327,618
Oregon	Multnomah <sup>1</sup>	52,923
	Washington	116,687
South Carolina	Greenville	147,464
	Richland	130,589
	Arlington	170,936
Virginia	Chesterfield	174,488
	Henrico	201,367
	Prince William	157,131
	Pierce	258,530
Washington	Snohomish	157,218

<sup>1</sup> County was previously listed in this appendix; however, population dropped to below 100,000 in the 1990 Census.

[64 FR 68849, Dec. 8, 1999]

**APPENDIX J TO PART 122—NPDES PERMIT TESTING REQUIREMENTS FOR PUBLICLY OWNED TREATMENT WORKS (§122.21(j))**

**TABLE 1A—EFFLUENT PARAMETERS FOR ALL POTWS**

- Biochemical oxygen demand (BOD-5 or CBOD-5)
- Fecal coliform
- Design Flow Rate
- pH
- Temperature
- Total suspended solids

**TABLE 1—EFFLUENT PARAMETERS FOR ALL POTWS WITH A FLOW EQUAL TO OR GREATER THAN 0.1 MGD**

- Ammonia (as N)
- Chlorine (total residual, TRC)
- Dissolved oxygen
- Nitrate/Nitrite
- Kjeldahl nitrogen
- Oil and grease
- Phosphorus
- Total dissolved solids

**TABLE 2—EFFLUENT PARAMETERS FOR SELECTED POTWS**

- Hardness
- Metals (total recoverable), cyanide and total phenols
- Antimony
- Arsenic
- Beryllium
- Cadmium
- Chromium
- Copper
- Lead
- Mercury
- Nickel
- Selenium
- Silver
- Thallium

**Part 123**

**40 CFR Ch. I (7–1–00 Edition)**

Zinc  
Cyanide  
Total phenolic compounds  
*Volatile organic compounds*  
Acrolein  
Acrylonitrile  
Benzene  
Bromoform  
Carbon tetrachloride  
Chlorobenzene  
Chlorodibromomethane  
Chloroethane  
2-chloroethylvinyl ether  
Chloroform  
Dichlorobromomethane  
1,1-dichloroethane  
1,2-dichloroethane  
Trans-1,2-dichloroethylene  
1,1-dichloroethylene  
1,2-dichloropropane  
1,3-dichloropropylene  
Ethylbenzene  
Methyl bromide  
Methyl chloride  
Methylene chloride  
1,1,2,2-tetrachloroethane  
Tetrachloroethylene  
Toluene  
1,1,1-trichloroethane  
1,1,2-trichloroethane  
Trichloroethylene  
Vinyl chloride  
*Acid-extractable compounds*  
P-chloro-m-creso  
2-chlorophenol  
2,4-dichlorophenol  
2,4-dimethylphenol  
4,6-dinitro-o-cresol  
2,4-dinitrophenol  
2-nitrophenol  
4-nitrophenol  
Pentachlorophenol  
Phenol  
2,4,6-trichlorophenol  
*Base-neutral compounds*  
Acenaphthene  
Acenaphthylene  
Anthracene  
Benzidine  
Benzo(a)anthracene  
Benzo(a)pyrene  
3,4 benzofluoranthene  
Benzo(ghi)perylene  
Benzo(k)fluoranthene  
Bis (2-chloroethoxy) methane  
Bis (2-chloroethyl) ether  
Bis (2-chloroisopropyl) ether  
Bis (2-ethylhexyl) phthalate  
4-bromophenyl phenyl ether  
Butyl benzyl phthalate  
2-chloronaphthalene  
4-chlorophenyl phenyl ether  
Chrysene  
Di-n-butyl phthalate  
Di-n-octyl phthalate  
Dibenzo(a,h)anthracene  
1,2-dichlorobenzene

1,3-dichlorobenzene  
1,4-dichlorobenzene  
3,3-dichlorobenzidine  
Diethyl phthalate  
Dimethyl phthalate  
2,4-dinitrotoluene  
2,6-dinitrotoluene  
1,2-diphenylhydrazine  
Fluoranthene  
Fluorene  
Hexachlorobenzene  
Hexachlorobutadiene  
Hexachlorocyclo-pentadiene  
Hexachloroethane  
Indeno(1,2,3-cd)pyrene  
Isophorone  
Naphthalene  
Nitrobenzene  
N-nitrosodi-n-propylamine  
N-nitrosodimethylamine  
N-nitrosodiphenylamine  
Phenanthrene  
Pyrene  
1,2,4,-trichlorobenzene  
[65 FR 42469, Aug. 4, 2000]

**PART 123—STATE PROGRAM REQUIREMENTS**

**Subpart A—General**

Sec.  
123.1 Purpose and scope.  
123.2 Definitions.  
123.3 Coordination with other programs.

**Subpart B—State Program Submissions**

123.21 Elements of a program submission.  
123.22 Program description.  
123.23 Attorney General's statement.  
123.24 Memorandum of Agreement with the Regional Administrator.  
123.25 Requirements for permitting.  
123.26 Requirements for compliance evaluation programs.  
123.27 Requirements for enforcement authority.  
123.28 Control of disposal of pollutants into wells.  
123.29 Prohibition.  
123.30 Judicial review of approval or denial of permits.  
123.31 Requirements for eligibility of Indian Tribes.  
123.32 Request by an Indian Tribe for a determination of eligibility.  
123.33 Procedures for processing an Indian Tribe's application.  
123.34 Provisions for Tribal criminal enforcement authority.  
123.35 As the NPDES Permitting Authority for regulated small MS4s, what is my role?