

## Environmental Protection Agency

## § 129.2

### § 125.124 Information required to be submitted by applicant.

The applicant is responsible for providing information which the director may request to make the determination required by this subpart. The director may require the following information as well as any other pertinent information:

- (a) An analysis of the chemical constituents of any discharge;
- (b) Appropriate bioassays necessary to determine the limiting permissible concentrations for the discharge;
- (c) An analysis of initial dilution;
- (d) Available process modifications which will reduce the quantities of pollutants which will be discharged;
- (e) Analysis of the location where pollutants are sought to be discharged, including the biological community and the physical description of the discharge facility;
- (f) Evaluation of available alternatives to the discharge of the pollutants including an evaluation of the possibility of land-based disposal or disposal in an approved ocean dumping site.

## PART 129—TOXIC POLLUTANT EFFLUENT STANDARDS

### Subpart A—Toxic Pollutant Effluent Standards and Prohibitions

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- 129.105 Polychlorinated biphenyls (PCBs).

AUTHORITY: Secs. 307, 308, 501, Federal Water Pollution Control Act Amendments of 1972 (Pub. L. 92-500, 86 Stat. 816, (33 U.S.C. 1251 *et seq.*)).

SOURCE: 42 FR 2613, Jan. 12, 1977, unless otherwise noted.

### Subpart A—Toxic Pollutant Effluent Standards and Prohibitions

#### § 129.1 Scope and purpose.

(a) The provisions of this subpart apply to owners or operators of specified facilities discharging into navigable waters.

(b) The effluent standards or prohibitions for toxic pollutants established in this subpart shall be applicable to the sources and pollutants hereinafter set forth, and may be incorporated in any NPDES permit, modification or renewal thereof, in accordance with the provisions of this subpart.

(c) The provisions of 40 CFR parts 124 and 125 shall apply to any NPDES permit proceedings for any point source discharge containing any toxic pollutant for which a standard or prohibition is established under this part.

#### § 129.2 Definitions.

All terms not defined herein shall have the meaning given them in the Act or in 40 CFR part 124 or 125. As used in this part, the term:

(a) *Act* means the Federal Water Pollution Control Act, as amended (Pub. L. 92-500, 86 Stat. 816 *et seq.*, 33 U.S.C. 1251 *et seq.*). Specific references to sections within the Act will be according to Pub. L. 92-500 notation.

(b) *Administrator* means the Administrator of the Environmental Protection Agency or any employee of the Agency to whom the Administrator may by order delegate the authority to carry out his functions under section 307(a) of the Act, or any person who shall by operation of law be authorized to carry out such functions.

(c) *Effluent standard* means, for purposes of section 307, the equivalent of *effluent limitation* as that term is defined in section 502(11) of the Act with the exception that it does not include a schedule of compliance.

(d) *Prohibited* means that the constituent shall be absent in any discharge subject to these standards, as determined by any analytical method.