

manufacturer shall not contain benzidine concentrations exceeding an average per working day of 10 µ g/l calculated over any calendar month, and shall not exceed a monthly average daily loading of 0.130 kg/kkg of benzidine produced, and shall not exceed 50 µ g/l in a sample(s) representing any working day.

(ii) *New sources.* Discharges from a benzidine manufacturer shall not contain benzidine concentrations exceeding an average per working day of 10 µ g/l calculated over any calendar month, and shall not exceed a monthly average daily loading of 0.130 kg/kkg of benzidine produced, and shall not exceed 50 µ g/l in a sample(s) representing any working day.

(4) The standards set forth in this paragraph (b) shall apply to the total combined weight or concentration of benzidine, excluding any associated element or compound.

(c) *Benzidine-based dye applicators—(1) Applicability.* (i) These standards apply to:

(A) All discharges into the navigable waters of process wastes, and

(B) All discharges into the navigable waters of wastes containing benzidine from the manufacturing areas, loading and unloading areas, storage areas, and other areas subject to direct contamination by benzidine or benzidine-containing product as a result of the manufacturing process, including but not limited to:

(1) Stormwater and other runoff except as hereinafter provided in paragraph (c)(1)(ii) of this section, and

(2) Water used for routine cleanup or cleanup of spills.

(ii) These standards do not apply to stormwater runoff or other discharges from areas subject to contamination solely by fallout from air emissions of benzidine; or to stormwater that exceeds that from the ten year 24-hour rainfall event.

(2) *Analytical method acceptable.* (i) Environmental Protection Agency method specified in 40 CFR part 136; or

(ii) Mass balance monitoring approach which requires the calculation of the benzidine concentration by dividing the total benzidine contained in dyes used during a working day (as certified in writing by the manufacturer)

by the total quantity of water discharged during the working day.

[*Comment:* The Regional Administrator (or State Director, if appropriate) shall rely entirely upon the method specified in 40 CFR part 136 in analyses performed by him for enforcement purposes.]

(3) *Effluent standards—(i) Existing sources.* Discharges from benzidine-based dye applicators shall not contain benzidine concentrations exceeding an average per working day of 10 µ g/l calculated over any calendar month; and shall not exceed 25 µ g/l in a sample(s) or calculation(s) representing any working day.

(ii) *New sources.* Discharges from benzidine-based dye applicators shall not contain benzidine concentrations exceeding an average per working day of 10 µ g/l calculated over any calendar month; and shall not exceed 25 µ g/l in a sample(s) or calculation(s) representing any working day.

(4) The standards set forth in this paragraph (c) shall apply to the total combined concentrations of benzidine, excluding any associated element or compound.

[42 FR 2620, Jan. 12, 1977]

**§ 129.105 Polychlorinated biphenyls (PCBs).**

(a) *Specialized definitions.* (1) *PCB Manufacturer* means a manufacturer who produces polychlorinated biphenyls.

(2) *Electrical capacitor manufacturer* means a manufacturer who produces or assembles electrical capacitors in which PCB or PCB-containing compounds are part of the dielectric.

(3) *Electrical transformer manufacturer* means a manufacturer who produces or assembles electrical transformers in which PCB or PCB-containing compounds are part of the dielectric.

(4) The ambient water criterion for PCBs in navigable waters is 0.001 µ g/l.

(b) *PCB manufacturer—(1) Applicability.* (i) These standards or prohibitions apply to:

(A) All discharges of process wastes;

(B) All discharges from the manufacturing or incinerator areas, loading and unloading areas, storage areas, and other areas which are subject to direct contamination by PCBs as a result of

## Environmental Protection Agency

## § 129.105

the manufacturing process, including but not limited to:

(1) Stormwater and other runoff except as hereinafter provided in paragraph (b)(1)(ii) of this section; and

(2) Water used for routine cleanup or cleanup of spills.

(ii) These standards do not apply to stormwater runoff or other discharges from areas subject to contamination solely by fallout from air emissions of PCBs; or to stormwater runoff that exceeds that from the ten-year 24-hour rainfall event.

(2) Analytical Method Acceptable—Environmental Protection Agency method specified in 40 CFR part 136 except that a 1-liter sample size is required to increase analytical sensitivity.

(3) *Effluent standards*—(i) *Existing sources*. PCBs are prohibited in any discharge from any PCB manufacturer;

(ii) *New sources*. PCBs are prohibited in any discharge from any PCB manufacturer.

(c) *Electrical capacitor manufacturer*—(1) *Applicability*. (i) These standards or prohibitions apply to:

(A) All discharges of process wastes; and

(B) All discharges from the manufacturing or incineration areas, loading and unloading areas, storage areas and other areas which are subject to direct contamination by PCBs as a result of the manufacturing process, including but not limited to:

(1) Stormwater and other runoff except as hereinafter provided in paragraph (c)(1)(ii) of this section; and

(2) Water used for routine cleanup or cleanup of spills.

(ii) These standards do not apply to stormwater runoff or other discharges from areas subject to contamination solely by fallout from air emissions of PCBs; or to stormwater runoff that exceeds that from the ten-year 24-hour rainfall event.

(2) *Analytical method acceptable*. Environmental Protection Agency method specified in 40 CFR part 136, except that a 1-liter sample size is required to increase analytical sensitivity.

(3) *Effluent standards*—(i) *Existing sources*. PCBs are prohibited in any discharge from any electrical capacitor manufacturer;

(ii) *New sources*. PCBs are prohibited in any discharge from any electrical capacitor manufacturer.

(d) *Electrical transformer manufacturer*—(1) *Applicability*. (i) These standards or prohibitions apply to:

(A) All discharges of process wastes; and

(B) All discharges from the manufacturing or incineration areas, loading and unloading areas, storage areas, and other areas which are subject to direct contamination by PCBs as a result of the manufacturing process, including but not limited to:

(1) Stormwater and other runoff except as hereinafter provided in paragraph (d)(1)(ii) of this section; and

(2) Water used for routine cleanup or cleanup of spills.

(ii) These standards do not apply to stormwater runoff or other discharges from areas subject to contamination solely by fallout from air emissions of PCBs; or to stormwater runoff that exceeds that from the ten-year 24-hour rainfall event.

(2) *Analytical method acceptable*. Environmental Protection Agency method specified in 40 CFR part 136, except that a 1-liter sample size is required to increase analytical sensitivity.

(3) *Effluent standards*—(i) *Existing sources*. PCBs are prohibited in any discharge from any electrical transformer manufacturer;

(ii) *New sources*. PCBs are prohibited in any discharge from any electrical transformer manufacturer.

(e) *Adjustment of effluent standard for presence of PCBs in intake water*. Whenever a facility which is subject to these standards has PCBs in its effluent which result from the presence of PCBs in its intake waters, the owner may apply to the Regional Administrator (or State Director, if appropriate), for a credit pursuant to the provisions of § 129.6, where the source of the water supply is the same body of water into which the discharge is made. The requirement of paragraph (1) of § 129.6(a), relating to the source of the water supply, shall be waived, and such facility shall be eligible to apply for a credit under § 129.6, upon a showing by the owner or operator of such facility to the Regional Administrator (or State

Director, if appropriate) that the concentration of PCBs in the intake water supply of such facility does not exceed the concentration of PCBs in the receiving water body to which the plant discharges its effluent.

[42 FR 6555, Feb. 2, 1977]

### PART 130—WATER QUALITY PLANNING AND MANAGEMENT

Sec.

- 130.0 Program summary and purpose.
- 130.1 Applicability.
- 130.2 Definitions.
- 130.3 Water quality standards.
- 130.4 Water quality monitoring.
- 130.5 Continuing planning process.
- 130.6 Water quality management plans.
- 130.7 Total maximum daily loads (TMDL) and individual water quality-based effluent limitations.
- 130.8 Water quality report.
- 130.9 Designation and de-designation.
- 130.10 State submittals to EPA.
- 130.11 Program management.
- 130.12 Coordination with other programs.
- 130.15 Processing application for Indian tribes.

AUTHORITY: 33 U.S.C. 1251 *et seq.*

SOURCE: 50 FR 1779, Jan. 11, 1985, unless otherwise noted.

#### § 130.0 Program summary and purpose.

(a) This subpart establishes policies and program requirements for water quality planning, management and implementation under sections 106, 205(j), non-construction management 205(g), 208, 303 and 305 of the Clean Water Act. The Water Quality Management (WQM) process described in the Act and in this regulation provides the authority for a consistent national approach for maintaining, improving and protecting water quality while allowing States to implement the most effective individual programs. The process is implemented jointly by EPA, the States, interstate agencies, and areawide, local and regional planning organizations. This regulation explains the requirements of the Act, describes the relationships between the several components of the WQM process and outlines the roles of the major participants in the process. The components of the WQM process are discussed below.

(b) Water quality standards (WQS) are the State's goals for individual water bodies and provide the legal basis for control decisions under the Act. Water quality monitoring activities provide the chemical, physical and biological data needed to determine the present quality of a State's waters and to identify the sources of pollutants in those waters. The primary assessment of the quality of a State's water is contained in its biennial Report to Congress required by section 305(b) of the Act.

(c) This report and other assessments of water quality are used in the State's WQM plans to identify priority water quality problems. These plans also contain the results of the State's analyses and management decisions which are necessary to control specific sources of pollution. The plans recommend control measures and designated management agencies (DMAs) to attain the goals established in the State's water quality standards.

(d) These control measures are implemented by issuing permits, building publicly-owned treatment works (POTWs), instituting best management practices for nonpoint sources of pollution and other means. After control measures are in place, the State evaluates the extent of the resulting improvements in water quality, conducts additional data gathering and planning to determine needed modifications in control measures and again institutes control measures.

(e) This process is a dynamic one, in which requirements and emphases vary over time. At present, States have completed WQM plans which are generally comprehensive in geographic and programmatic scope. Technology based controls are being implemented for most point sources of pollution. However, WQS have not been attained in many water bodies and are threatened in others.

(f) Present continuing planning requirements serve to identify these critical water bodies, develop plans for achieving higher levels of abatement and specify additional control measures. Consequently, this regulation reflects a programmatic emphasis on concentrating planning and abatement activities on priority water quality