

**ENVIRONMENTAL PROTECTION
AGENCY**

[40 CFR Part 440]

[450-3]

**ORE MINING AND DRESSING POINT
SOURCE CATEGORY**

Proposed Effluent Guidelines and Standards

Notice is hereby given that effluent limitations for existing sources, standards of performance and pretreatment standards for new sources and pretreatment standards for existing sources set forth in tentative form below are proposed by the Environmental Protection Agency (EPA). Simultaneously with this notice of proposed rulemaking, EPA is promulgating a regulation adding Part 440 to Chapter 40 of the Code of Federal Regulations. That regulation establishes effluent limitations and guidelines for existing sources based on the best practicable control technology currently available for the ore mining and dressing point source category. The regulation proposed below will amend 40 CFR 440, *Ore Mining and Dressing Point Source Category*, by adding §§ 440.13, 440.14, 440.15 and 440.16 to the iron ore subcategory (Subpart A), §§ 440.23, 440.24, 440.25, and 440.26 to the base and precious metals subcategory (Subpart B), §§ 440.33, 440.34, 440.35 and 440.36 to the bauxite subcategory (Subpart C), §§ 440.43, 440.44, 440.45 and 440.46 to the ferroalloy ores subcategory (Subpart D), §§ 440.53, 440.54, 440.55 and 440.56 to the uranium, radium and vanadium ores subcategory (Subpart E), §§ 440.63, 440.64, 440.65 and 440.66 to the mercury ore subcategory (Subpart F), and §§ 440.73, 440.74, 440.75 and 440.76 to the titanium ore subcategory (Subpart G) pursuant to sections 306(b) and 307(b) and (c) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1316(b) and 1317(b) and (c), 86 Stat. 816 et seq.; Pub. L. 92-500) (the Act). Simultaneously with this proposed rule making EPA is promulgating interim final regulations which establish the above listed subparts.

(a) Legal authority.

(1) Existing Point sources.

Section 301(b) of the Act requires the achievement by not later than July 1, 1977, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of the best practicable control technology currently available as defined by the Administrator pursuant to section 304(b) of the Act. Section 301(b) also requires the achievement by not later than July 1, 1983, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of best available technology economically achievable which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b) of the Act.

Section 304(b) of the Act requires the Administrator to publish regulations pro-

viding guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of the best practicable control technology currently available and the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedural innovations, operating methods and other alternatives. The regulation herein sets forth effluent limitations and guidelines, pursuant to sections 301 and 304(b) of the Act, for the iron ore subcategory (Subpart A); base and precious metals subcategory (Subpart B); bauxite subcategory (Subpart C); ferroalloy ores subcategory (Subpart D); uranium, radium and vanadium ores subcategory (Subpart E); mercury ore subcategory (Subpart F); titanium ore subcategory (Subpart G) of the ore mining and dressing point source category.

Section 304(c) of the Act requires the Administrator to issue to the States and appropriate water pollution control agencies information on the processes, procedures or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of the Act. The report or "Development Document" referred to below provides, pursuant to section 304(c) of the Act, information on such processes, procedures or operating methods.

(2) New sources.

Section 306 of the Act requires the achievement by new sources of a Federal standard of performance providing for the control of the discharge of pollutants which reflects the greatest degree of effluent reduction which the Administrator determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

Section 306(b)(1)(B) of the Act requires the Administrator to propose regulations establishing Federal standards of performance for categories of new sources included in a list published pursuant to section 306(b)(1)(A) of the Act. Simultaneously with the appearance of this proposed rulemaking is a notice, appearing elsewhere in Part II of this issue, titled "Addition to the List of Categories of Sources." This notice adds the ore mining and dressing point source category and is in accordance with the provisions of section 306(b)(1)(A) of the Act. The regulations proposed herein set forth the standards of performance applicable to new sources for the iron ore subcategory (Subpart A); base and precious metals subcategory (Subpart B); bauxite subcategory (Subpart C); ferroalloy ores subcategory (Subpart D); uranium, radium and vanadium ores subcategory (Subpart E); mercury ore subcategory (Subpart F); titanium ore subcategory (Subpart G) of the ore mining and dressing point source category.

Section 307(c) of the Act requires the Administrator to promulgate pretreat-

ment standards for new sources at the same time that standards of performance for new sources are promulgated pursuant to § 306. Sections 440.16, 440.26, 440.36, 440.46, 440.56, 440.66 and 440.76, proposed below, provide pretreatment standards for new sources within the iron ore subcategory (Subpart A); base and precious metals subcategory (Subpart B); bauxite subcategory (Subpart C); ferroalloy ores subcategory (Subpart D); uranium, radium and vanadium ores subcategory (Subpart E); mercury ore subcategory (Subpart F); titanium ore subcategory (Subpart G) of the ore mining and dressing point source category. Section 307(b) of the Act requires the establishment of pretreatment standards for pollutants introduced into publicly owned treatment works and 40 CFR 128 establishes that the Agency will propose specific pretreatment standards at the time effluent limitations are established for point source discharges. Sections 440.14, 440.24, 440.34, 440.44, 440.54, 440.64 and 440.74, proposed below provide pretreatment standards for existing sources within the iron ore subcategory (Subpart A); base and precious metals subcategory (Subpart B); bauxite subcategory (Subpart C); ferroalloy ores subcategory (Subpart D); uranium, radium and vanadium ores subcategory (Subpart E); mercury ore subcategory (Subpart F); titanium ore subcategory (Subpart G) of the ore mining and dressing point source category.

(b) Summary and basis of proposed standards of performance and pretreatment standards for new sources and pretreatment standards for existing sources.

The general methodology and summary of conclusions are discussed in considerable detail in the preamble of the interim final regulations for the iron ore subcategory (Subpart A); base and precious metals subcategory (Subpart B); bauxite subcategory (Subpart C); ferroalloy ores subcategory (Subpart D); uranium, radium and vanadium ores subcategory (Subpart E); mercury ore subcategory (Subpart F); titanium ore subcategory (Subpart G) of the ore mining and dressing point source category which are being promulgated by EPA simultaneously with publication of this proposed regulation. The information contained in the preamble to the interim final regulation is incorporated herein by reference. The proposed regulation set forth below purposes pretreatment standards for pollutants introduced into publicly owned treatment works. The proposal will establish for each subpart the extent of application of effluent limitations to existing sources and to new sources which discharge to publicly owned treatment works. This regulation is intended to be complementary to the general regulation for pretreatment standards for existing sources set forth at 40 CFR 128. The general regulation was proposed July 19, 1973 (38 FR 19236), and published in final form on November 8, 1973 (38 FR 30982). The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to

which the limitations and standards apply. However, the proposed pretreatment regulation applies to the introduction of pollutants which are directed into a publicly owned treatment works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories: "compatible" and "incompatible." Compatible pollutants are generally not subject to specific numerical pretreatment standards. However, 40 CFR 128.131 (prohibited wastes) may be applicable to compatible pollutants. Additionally, local pretreatment requirements may apply (See 40 CFR 128.110). Incompatible pollutants are subject generally to pretreatment standards as provided in 40 CFR 128.133. Sections 440.16, 440.26, 440.36, 440.46, 440.56, 440.66 and 440.76, proposed below, are intended to implement the intent of § 128.133, by setting forth specific numeric limitations for particular pollutants subject to pretreatment requirements.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations and guidelines is adequate to make a determination regarding the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

The report entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Ore Mining and Dressing Industry Point Source Category" details the analysis undertaken in support of the regulation being proposed herein and is available for inspection in the EPA Public Information Reference Unit, Room 2404, Waterside Mall, 401 M St., SW., Washington, D.C. 20460, at all EPA regional offices, and at State water pollution control offices. A supplementary analysis prepared for EPA of the possible economic effects of the proposed regulation is also available for inspection at these locations. Copies of both of these documents are being sent to persons or institutions affected by the proposed regulation or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Public Review Procedures, 38 FR 21202, August 6, 1973). An additional limited number of copies of both reports are available. Persons wishing to obtain a copy may write the EPA Effluent Guidelines Division, Washington, D.C. 20460, Attention: Distribution Officer, WH552.

When this regulation is promulgated, revised copies of the Development Document will be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the Economic Analysis will be available through the National Technical Information Service, Springfield, Virginia 22151.

(c) Summary of public participation.

A full listing of participants and discussion of comments and responses is included in the preamble of the interim final regulation for the ore mining and dressing subcategory being simultaneously promulgated by EPA and are incorporated herein by reference.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, Attention: Distribution Officer, WH-552. Comments on all aspects of the proposed regulation are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing a standard of performance or pretreatment standard, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 306 and 307 (b) and (c) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404, Waterside Mall, 401 M St., SW., Washington, D.C. 20460 draft contractor reports, the Development Document and economic study referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before December 8, 1975, will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (33 FR 21202).

(Secs. 301, 304 (b) and (c), 306 (b) and (c), 307(c), Federal Water Pollution Control Act, as amended (the Act) (33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and c), 1317(c)); 86 Stat. 816 et seq.; Pub. L. 92-500)

Dated: October 17, 1975.

JOHN QUARLES,
Acting Administrator.

PART 440—ORE MINING POINT SOURCE CATEGORY

1. The table of contents is amended by adding the following sections:

- Subpart A—Iron Ore Subcategory
- Sec. 440.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 440.14 Pretreatment standard for existing sources.
- 440.15 Standards of performance for new sources.
- 440.16 Pretreatment standards for new sources.
- Subpart B—Base and Precious Metals Subcategory
- 440.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 440.24 Pretreatment standard for existing sources.
- 440.25 Standards of performance for new sources.
- 440.26 Pretreatment standards for new sources.
- Subpart C—Bauxite Subcategory
- 440.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 440.34 Pretreatment standard for existing sources.
- 440.35 Standards of performance for new sources.
- 440.36 Pretreatment standards for new sources.
- Subpart D—Ferroalloy Ores Subcategory
- 440.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 440.44 Pretreatment standard for existing sources.
- 440.45 Standards of performance for new sources.
- 440.46 Pretreatment standards for new sources.
- Subpart E—Uranium, Radium and Vanadium Ores Subcategory
- 440.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 440.54 Pretreatment standard for existing sources.
- 440.55 Standards of performance for new sources.
- 440.56 Pretreatment standards for new sources.
- Subpart F—Mercury Ore Subcategory
- 440.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 440.64 Pretreatment standard for existing sources.
- 440.65 Standards of performance for new sources.
- 440.66 Pretreatment standards for new sources.

Subpart G—Titanium Ore Subcategory

- Sec. 440.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 440.74 Pretreatment standard for existing sources.
- 440.75 Standards of performance for new sources.
- 440.76 Pretreatment standards for new sources.

Subpart A—Iron Ore Subcategory

2. Subpart A, is amended by adding §§ 440.13, 440.14, 440.15, and 440.16 as follows:

§ 440.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) Subject to the provisions of paragraph (b) of this section, 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 best available technology economically achievable:

(1) The quantity of pollutant properties discharged in mine drainage from mines operated to obtain iron ore shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Fe (filterable).....	1.0.....	0.5
pH.....	Within the range 6.0 to 9.0.	

(2) The quantity of pollutants or pollutant properties discharged from mills that employ chemical and physical methods to beneficiate iron ore and mills that employ only physical (not magnetic) methods to beneficiate iron ore shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Fe (filterable).....	1.0.....	0.5
pH.....	Within the range 6.0 to 9.0.	

(3) There shall be no discharge of pollutants from mills that employ magnetic and physical methods to beneficiate iron ore.

In the event that the annual precipitation falling on the treatment system and

its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (2) of this section.

(4) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) through (a) (3) of this section shall not exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.14 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.13 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

§ 440.15 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) below, the following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines operated to obtain iron ore shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Fe (filterable).....	1.0.....	0.5
pH.....	Within the range 6.0 to 9.0.	

(2) The quantity of pollutants or pollutant properties discharged from mills that employ chemical and physical methods to beneficiate iron ore and mills that employ only physical (not magnetic) methods to beneficiate iron ore shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Fe (total).....	1.0.....	0.5
pH.....	Within the range 6.0 to 9.0.	

(3) There shall be no discharge of pollutants from milling operations that employ magnetic and physical methods to beneficiate iron ore.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (2) of this section.

(4) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) through (a) (3) of this section shall not exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.16 Pretreatment standards for new sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.15 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treat-

ment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart B—Base and Precious Metals Subcategory

3. Subpart B is amended by adding §§ 440.23, 440.24, 440.25, and 440.26 as follows:

§ 440.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) Subject to the provisions of paragraph (b) of this section, 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 best available technology economically achievable:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines operated to obtain copper bearing ores, lead bearing ores, zinc bearing ores, gold bearing ores, or silver bearing ores or any combination of these ores from open-pit or underground operations other than placer deposits shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Cu.....	0.10.....	0.05
Zn.....	1.0.....	0.5
Pb.....	0.2.....	0.1
Hg.....	0.002.....	0.001
pH.....	Within the range 6.0 to 9.0.	

(2) There shall be no discharge of pollutants from mill operations which employ the froth-flotation process alone or in conjunction with other processes, for the beneficiation of copper ores, lead ores, zinc ores, gold ores, or silver ores or any combination of these ores.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	50.....	20
Cu.....	0.1.....	0.05
Zn.....	0.2.....	0.1
Pb.....	0.2.....	0.1
Hg.....	0.002.....	0.001
Cd.....	0.02.....	0.01
CN.....	0.02.....	0.01
pH.....	Within the range 6.0 to 9.0.	

(3) There shall be no discharge of pollutants from mines and mills which employ dump, heap, insitu leach or vat-leach processes for the extraction of copper from ores or ore waste materials.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (2) of this section.

(4) There shall be no discharge of pollutants from mills which extract gold or silver by the cyanidation process alone.

In the event that the annual precipitation falling on the treatment system exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and annual evaporation may be discharged subject to the limitations in (a) (2) of this section.

(5) There shall be no discharge of pollutants from mills which extract gold or silver by the amalgamation process alone.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (2) of this section.

(6) The quantity of pollutants or pollutant properties discharged in mine drainage from mines or discharged from mine and mill complexes beneficiating gold ores, silver ores, tin ores or platinum ores by gravity separation methods (including mining of placer deposits, dredge mining and hydraulic mining operations) shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	50.....	20
pH.....	Within the range 6.0 to 9.0.	

(7) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) through (a) (6) of this section shall be subject to the limitations in (a) (2) of this section and in case shall exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.24 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.32 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

§ 440.25 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) of this section the following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines operated to obtain copper bearing ores, lead bearing ores, zinc bearing ores, gold bearing ores, or silver bearing ores or any combination of these ores from open-pit or underground operations other than placer deposits shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Cu.....	0.10.....	0.05
Zn.....	1.0.....	0.5
Pb.....	0.2.....	0.1
Hg.....	0.002.....	0.001
pH.....	Within the range 6.0 to 9.0.	

(2) There shall be no discharge of pollutants from mill operations which employ the froth-flotation process alone or in conjunction with other processes, for the beneficiation of copper ores, lead ores, zinc ores, gold ores, or silver ores or any combination of these ores.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed
Milligrams per liter		
TSS.....	30.....	20
Cu.....	0.1.....	0.05
Zn.....	0.2.....	0.1
Pb.....	0.2.....	0.1
Hg.....	0.002.....	0.001
Cd.....	0.10.....	0.05
CN.....	0.02.....	0.01
pH.....	Within the range 6.0 to 9.0.	

(3) There shall be no discharge of pollutants from mines and mills which employ dump, heap, in situ leach or vat-leach processes for the extraction of copper from ores or ore waste materials.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (2) of this section.

(4) There shall be no discharge of pollutants from mills which extract gold or silver by the cyanidation process alone.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (2) of this section.

(5) There shall be no discharge of pollutants from mills which extract gold or silver by the amalgamation process alone.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (2) of this section.

(6) The quantity of pollutants or pollutant properties discharged in mine drainage from mines or discharged from mine and mill complexes beneficiating gold ores, silver ores, tin ores, and platinum ores by gravity separation methods (including mining of placer deposits, dredge mining and hydraulic mining operations) shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	50.....	30
pH.....	Within the range 6.0 to 9.0.	

(7) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) through (a) (6) of this section shall be subject to the limitations in (a) (2) of this section and in no case shall exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.26 Pretreatment standards for new sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.25 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart C—Bauxite Subcategory

4. Subpart C is amended by adding §§ 440.33, 440.34, 440.35, and 440.36 as follows:

§ 440.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) Subject to the provisions of paragraph (b) of this section 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 best available technology economically achievable:

The quantity of pollutants or pollutant properties discharged in mine drainage from mines producing bauxite and other aluminum ores shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Fe.....	0.6.....	0.3
Zn.....	0.2.....	0.1
Al.....	1.0.....	0.5
pH.....	Within the range 6.0 to 9.0.	

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.34 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.33 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain

treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

§ 440.35 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) of this section the following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

The quantity of pollutants or pollutant properties discharged in mine drainage from mines producing bauxite and other aluminum ores shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	30	20
Fe	1.0	0.5
Zn	0.2	0.1
Al	1.2	0.6
pH	Within the range 6.0 to 9.0.	

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25-year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.36 Pretreatment standards for new sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.35 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart D—Ferroalloy Subcategory

5. Subpart D is amended by adding §§ 440.43, 440.44, 440.45 and 440.46 as follows:

§ 440.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) Subject to the provisions of paragraph (b) of this section 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 best available technology economically achievable:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines producing 5,000 metric tons (5,512 short tons) or more of ferroalloy bearing ores per year shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	30	20
Cd	0.10	0.05
Cu	0.10	0.05
Zn	0.2	0.1
Pb	0.2	0.1
As	1.0	0.5
Mo	2.0	1.0
pH	Within the range 6.0 to 9.0.	

(2) The quantity of pollutants or pollutant properties discharged in mine drainage from mines or discharged from mills processing less than 5,000 metric tons (5,512 short tons) of ferroalloy ores per year by methods other than ore leaching shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	50	30
pH	Within the range 6.0 to 9.0.	

(3) The quantity of pollutants or pollutant properties discharged from mills processing 5,000 metric tons (5,512 short tons) or more of ferroalloy ores per year by purely physical methods including ore crushing, washing, jigging, heavy media separation, and magnetic and electrostatic separation shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	30	20
Cd	0.10	0.05
Cu	0.10	0.05
Zn	0.2	0.1
As	1.0	0.5
Mo	2.0	1.0
pH	Within the range 6.0 to 9.0.	

(4) The quantity of pollutants or pollutant properties discharged from mills processing 5,000 metric tons (5,512 short tons) or more of ferroalloy ores per year by froth flotation methods shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	30	20
Cd	0.10	0.05
Cu	0.1	0.05
Zn	0.2	0.1
CN	0.6	0.3
As	1.0	0.5
COD	50	25
Mo	2.0	1.0
pH	Within the range 6.0 to 9.0.	

(5) The quantity of pollutants or pollutant properties discharged from mills processing ferroalloy ores by leaching techniques (either acid or alkaline) and associated chemical beneficiation techniques shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	30	20
Cd	0.10	0.05
Cu	0.10	0.05
Cr	0.10	0.05
Zn	0.2	0.1
As	1.0	0.5
NiS	10	5
pH	Within the range 6.0 to 9.0.	

(6) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) through (a) (5) of

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this section shall not exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.44 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.43 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

§ 440.45 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) of this section the following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines producing 5,000 metric tons (5,512 short tons) or more of ferroalloy bearing ores per year shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Cd.....	0.10.....	0.05
Cu.....	0.10.....	0.05
Zn.....	0.2.....	0.1
Pb.....	0.2.....	0.1
As.....	1.0.....	0.5
pH.....	Within the range 6.0 to 9.0.	

(2) The quantity of pollutants or pollutant properties discharged in mine drainage from mines or discharged from mills processing less than 5,000 metric

tons (5,512 short tons) of ferroalloy ores per year by methods other than ore leaching shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	50.....	30
pH.....	Within the range 6.0 to 9.0.	

(3) The quantity of pollutants or pollutant properties discharged from mills processing 5,000 metric tons (5,512 short tons) or more of ferroalloy ores per year by purely physical methods including ore crushing, washing, jigging, heavy media separation, and magnetic and electrostatic separation shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Cd.....	0.10.....	0.05
Cu.....	0.10.....	0.05
Zn.....	0.2.....	0.1
As.....	1.0.....	0.5
pH.....	Within the range 6.0 to 9.0.	

(4) The quantity of pollutants or pollutant properties discharged from mills processing 5,000 metric tons (5,512 short tons) or more of ferroalloy ores per year by froth flotation methods shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Cd.....	0.10.....	0.05
Cu.....	0.10.....	0.05
Zn.....	0.2.....	0.1
CN.....	0.04.....	0.02
As.....	1.0.....	0.5
COD.....	50.....	25
pH.....	Within the range 6.0 to 9.0.	

(5) The quantity of pollutants or pollutant properties discharged from mills processing ferroalloy ores by leaching techniques (either acid or alkaline) and associated chemical beneficiation techniques shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Cd.....	0.10.....	0.05
Cu.....	0.10.....	0.05
Cr.....	0.10.....	0.05
Zn.....	0.2.....	0.1
As.....	1.0.....	0.5
NHS.....	10.....	5
pH.....	Within the range 6.0 to 9.0.	

(6) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) through (a) (5) of this section shall not exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitation set forth in this section.

§ 440.46 Pretreatment standards for new sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.45 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart E—Uranium, Radium and Vanadium Ores Subcategory

6. Subpart E is amended by adding §§ 440.53, 440.54, 440.55, and 440.56 as follows:

§ 440.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) Subject to the provisions of paragraph (b) of this section 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 best available technology economically achievable:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines, either open-pit or underground, from which uranium, radium and vanadium ores are produced shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Cd.....	0.10.....	0.05
Zn.....	0.2.....	0.1
As.....	0.2.....	0.1
Ra ²²⁶	10.....	3
U.....	4.....	2
COD.....	100.....	50
Mo.....	2.0.....	1.0
V.....	10.....	5
pH.....	Within the range 6.0 to 9.0	

¹ Values in picocuries per liter.

(2) There shall be no discharge of pollutants from mills using the acid leach, alkaline leach or combined acid and alkaline leach process for the extraction of uranium, radium and vanadium.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (1) of this section.

(3) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) and (a) (2) of this section shall not exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.54 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.53 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

§ 440.55 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) of this section the following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines, either open-pit or underground, from which uranium, radium and vanadium ores are produced shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Cd.....	0.10.....	0.05
Zn.....	0.2.....	0.1
As.....	0.2.....	0.1
Ra ²²⁶	10.....	3
U.....	4.....	2
COD.....	100.....	50
pH.....	Within the range 6.0 to 9.0	

(2) There shall be no discharge of pollutants from mills using the acid leach, alkaline leach or combined acid and alkaline leach process for the extraction of uranium, radium and vanadium.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (1) of this section.

(3) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) and (a) (2) of this section shall not exceed the quantity or

quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.56 Pretreatment standards for new sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.55 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart F—Mercury Ore Subcategory

7. Subpart F is amended by adding §§ 440.63, 440.64, 440.65, and 440.66 as follows:

§ 410.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) Subject to the provisions of paragraph (b) of this section 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 best available technology economically achievable:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines, either open-pit or underground, operated for the production of mercury ores shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Hg.....	0.001.....	0.0005
Ni.....	0.2.....	0.1
pH.....	Within the range 6.0 to 9.0	

(2) There shall be no discharge of pollutants from mills beneficiating mercury ores by gravity separation methods or by froth-flotation methods.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the provisions set forth in paragraph (a) (1) of this section.

(3) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) and (a) (2) of this section shall not exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.64 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.63 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

§ 440.65 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) of this section the following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines, either open-pit or underground, operated for the production of mercury ores shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Hg.....	0.002.....	0.001
Ni.....	0.2.....	0.1
pH.....	Within the range 6.0 to 9.0.	

(2) There shall be no discharge of pollutants from mills beneficiating mercury ores by gravity separation methods or by froth-flotation methods.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the limitations set forth in paragraph (a) (1) of this section.

(3) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a) (1) and (a) (2) of this section shall not exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.66 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.66 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart G—Titanium Ore Subcategory

8. Subpart G is amended by adding §§ 440.73, 440.74, 440.75, and 440.76 as follows:

§ 440.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) Subject to the provisions of paragraph (b) of this section 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 best available technology economically achievable:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines obtaining titanium ores from lode deposits shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Fe.....	2.0.....	1.0
pH.....	Within the range 6.0 to 9.0.	

(2) There shall be no discharge of pollutants from mills beneficiating titanium ores by electrostatic methods, magnetic and physical methods or flotation methods.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS.....	30.....	20
Fe.....	0.2.....	0.1
Zn.....	0.2.....	0.1
Ni.....	0.2.....	0.1
pH.....	Within the range 6.0 to 9.0.	

(3) The quantity of pollutants or pollutant properties discharged in mine drainage from mines engaged in the dredge mining of placer deposits of sands

containing rutile, ilmenite, leucoxene, monazite, zircon, and other heavy metals, and the milling technique employed in conjunction with the dredge mining activity (milling techniques employed include the use of wet gravity methods in conjunction with electrostatic or magnetic methods) shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	30	20
Fe	2	1
COD	30	15
pH	Within the range 6.0 to 9.0.	

(4) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a)(1) through (a)(3) of this section shall not exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.74 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.73 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regula-

tion pursuant to section 307(b) of the Act.

§ 440.75 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) of this section the following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(1) The quantity of pollutants or pollutant properties discharged in mine drainage from mines obtaining titanium ores from lode deposits shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	30	20
Fe	2.0	1.0
pH	Within the range 6.0 to 9.0.	

(2) There shall be no discharge of pollutants from mills beneficiating titanium ores by electrostatic methods, magnetic and physical methods or flotation methods.

In the event that the annual precipitation falling on the treatment system and its associated drainage area exceeds the annual evaporation, a volume of water equivalent to the difference between annual precipitation falling on the treatment system and its associated drainage area and annual evaporation may be discharged subject to the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	30	20
Fe	0.2	0.1
Zn	0.2	0.1
Ni	0.2	0.1
pH	Within the range 6.0 to 9.0.	

(3) The quantity of pollutants or pollutant properties discharged in mine drainage from mines engaged in the dredge mining of placer deposits of sands containing rutile, ilmenite, leucoxene,

monazite, zircon, and other heavy metals, and the milling techniques employed in conjunction with the dredge mining activity (milling techniques employed include the use of wet gravity methods in conjunction with electrostatic or magnetic methods) shall not exceed the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
Milligrams per liter		
TSS	30	20
Fe	2	1
COD	30	15
pH	Within the range 6.0 to 9.0.	

(4) In the event that waste streams from various sources are combined for treatment and discharge, the quantity or quality of each pollutant or pollutant property in the combined discharge that is subject to the limitations set forth in paragraphs (a)(1) through (a)(3) of this section shall not exceed the quantity or quality of each pollutant or pollutant property that would have been discharged had each waste stream been treated separately. The discharge flow from a combined discharge shall not exceed the volume that would have been discharged had each waste stream been treated separately.

(b) Any untreated overflow which is discharged from facilities designed, constructed and operated to contain or treat as applicable all process generated waste water and the surface runoff to the treatment facility, resulting from a 25 year 24-hour precipitation event shall not be subject to the limitations set forth in this section.

§ 440.76 Pretreatment standards for new sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 440.76 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

[FR Doc. 75-29452 Filed 11-5-75; 8:45 am]

**ENVIRONMENTAL PROTECTION
AGENCY**

[450-4]

**WATER POLLUTION PREVENTION AND
CONTROL**

**Addition to the List of Categories of
Sources**

Section 306(b) (1) (A) of the Federal Water Pollution Control Act, as amended October 18, 1972 (Pub. L. 92-500), directs the Administrator of the Environmental Protection Agency to publish, and from time to time revise a list of categories of sources which shall, at the minimum, include those listed in section 306(b) (1) (A). As soon as practicable, but in no case more than one year after the

inclusion of a category of sources in such list, the Administrator is required to propose and publish regulations establishing Federal standards of performance for new sources within such categories. The original list of 27 source categories was published January 16, 1973 (38 FR 1624). Standards of performance have been promulgated for all 27 source categories.

The Administrator, after evaluating available information, has determined that ore mining and dressing is an additional category of point sources which meets the above requirements. Evaluation of other point source categories is in progress, and the list will be supplemented from time to time as the Administrator deems appropriate. Accord-

ingly, notice is given that the Administrator, pursuant to section 306(b) (1) (A) of the Act amends the list of categories of sources as follows:

List of Categories of Sources

34. Ore Mining and Dressing

Proposed effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources applicable to the above point source categories appear elsewhere in Part III in this issue of the FEDERAL REGISTER.

Dated: October 17, 1975.

JOHN QUARLES,
Acting Administrator.

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