- (l) *Pipeline*—"Pipeline" means an open or closed conduit used for the conveyance of material. A pipeline includes a channel, pipe, tube, trench or ditch.
- (m) *POTW*—Publicly-owned treatment works as defined at 40 CFR 403.3 (o).
- (n) *Priority pollutants*—The pollutants designated by EPA as priority in 40 CFR part 423, appendix A.
- (o) *Process wastewater*—"Process wastewater" is defined at 40 CFR 122.2.

§ 437.2 Applicability.

- (a) Notwithstanding anything to the contrary in subchapter N of this chapter, the provisions of this part are applicable to that portion of wastewater discharges from a centralized waste treatment facility that result from the treatment or recovery of metals, oil, and organics from metal-bearing wastes, oily wastes and organic-bearing wastes received from off-site. The provisions of this Part are also applicable to that portion of wastewater discharge from a CWT facility contact water. The provisions of this part do not apply to that portion of wastewater discharges from a CWT facility that results from the treatment of wastes that are generated on-site which are subject to other applicable provisions of Subchapter N of this chapter.
- (b) The provisions of this part do not apply to wastewater discharges at a centralized waste treatment facility that result from the following treatment operations: thermal destruction, incineration, stabilization, solidification, the blending of fuel and recycling of solvents from hazardous and non-hazardous industrial wastes received from off-site.
- (c) The provisions of this part do not apply to discharges from a centralized waste treatment facility that result from the treatment or recovery of wastes received by pipeline from a facility that generates the waste.

§ 437.3 Monitoring requirements.

The following monitoring requirements apply to this part:

- (a) The "monthly average" regulatory values shall be the basis for the monthly average effluent limitations in direct discharge permits and pretreatment standards. Compliance with the monthly average discharge limit is required regardless of the number of samples analyzed and averaged.
- (b) Any centralized waste treatment facility that discharges wastewater that results from the treatment of metalbearing waste, oily waste, or organicbearing waste must monitor as follows:

(1) A centralized waste treatment facility must monitor to demonstrate compliance with applicable Subcategory A, B, or C limitations or standards.

(2) When a Centralized Waste Treatment facility: is subject to effluent limitations, new source performance standards or pretreatment standards in more than one Subpart of this Part (or any other Part of Subchapter N of this chapter), and (after treatment) mixes waste whose wastewater treatment discharges are subject to more than one Subpart of this Part (or any other Part of Subchapter N of this chapter), the owner or operator of the Centralized Waste Treatment facility must monitor for compliance with the limitations for each Subpart of this Part after treatment and before mixing of the waste for discharge with any other Subpart wastes, process wastewater subject to another effluent limitation or standard in Subchapter N of this chapter, or stormwater. A Centralized Waste Treatment facility is not required to monitor for compliance after treatment and before mixing of Subpart wastes that are mixed with other wastes for treatment and discharge if the following condition is met. The owner or operator of the Centralized Waste Treatment facility must demonstrate to the POTW or permitting authority that the Centralized Waste Treatment facility treating and discharging effluent from the mixture of wastes is capable of achieving the effluent limitation or standard for each Subpart.

(3) When a Centralized Waste Treatment facility: is subject to effluent limitations, new source performance standards or pretreatment standards in more than one Subpart of this Part (or any other Part of Subchapter N of this chapter), and (prior to treatment) mixes waste whose wastewater treatment discharges are subject to more than one Subpart of this Part (or any other Part of Subchapter N), the owner or operator of the Centralized Waste Treatment facility must demonstrate to the POTW or permitting authority that the Centralized Waste Treatment facility treating and discharging effluent from the mixture of wastes is capable of achieving the effluent limitation or standard for each Subpart.

(4) A centralized waste treatment facility must monitor for cyanide after cyanide treatment and before dilution with other waste streams. Periodic analysis for cyanide is not required for a centralized waste treatment facility in the metal-bearing waste subcategory when the following condition is met: The owner or operator of the facility certifies in writing to the POTW or permit issuing authority that the

centralized waste treatment system is not treating wastes that contain more than 68 mg/l of Total Cyanide.

Subpart A—Metals Treatment and Recovery Subcategory

§ 437.10 Applicability; description of the Metals Subcategory.

The provisions of this subpart are applicable to that portion of wastewater discharges from a centralized waste treatment facility that result from the treatment of, or recovery of metals from, metal-bearing waste received from offsite and CWT facility contact water.

§ 437.11 Specialized definitions.

The general definitions, abbreviations, and methods of analysis set forth in 40 CFR part 401 and § 437.01 shall apply to this subpart.

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

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the effluent limitations listed in the following table representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT). These limitations apply to the pretreatment of metal-bearing waste which contain cyanide and the metals treatment effluent.

IN-FACILITY BPT LIMITATIONS FOR CY-ANIDE PRETREATMENT.—METALS SUBCATEGORY (MG/L)

Pollutant or pollutant parameter	Maximum for any one day	Monthly average
Total Cyanide	350	130

BPT EFFLUENT LIMITATIONS—METALS SUBCATEGORY (mg/l)

Pollutant or pollutant parameter	Maxi- mum for any one day	Monthly average
Conventional Pollut- ants: Oil and Grease TSS Priority and Non-Con- ventional Pollut- ants:	45 55	11 18
Aluminum Antimony Arsenic Barium Cadmium Chromium	0.72 0.14 0.076 0.14 0.73 0.77	0.16 0.031 0.017 0.032 0.16 0.17