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Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

[40 FR 48657, Oct. 16, 1975, as amended at 60 FR 33968, June 29, 1995; 60 FR 35796, July 11, 1995]

**Subpart P—Trona Subcategory
[Reserved]**

**Subpart Q—Rock Salt
Subcategory [Reserved]**

**Subpart R—Phosphate Rock
Subcategory**

AUTHORITY: Sec. 306, Federal Water Pollution Control Act, as amended.

§ 436.180 Applicability; description of the phosphate rock subcategory.

The provisions of this subpart are applicable to the mining and the processing of phosphate bearing rock, ore or earth for the phosphate content.

[43 FR 9809, Mar. 10, 1978]

§ 436.181 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR part 401 shall apply to this subpart.

(b) The term “mine dewatering” shall mean any water that is impounded or that collects in the mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator.

(c) The term “10-year 24-hour precipitation event” shall mean the maximum 24 hour precipitation event with a probable reoccurrence interval of once in 10 years. This information is available in “Weather Bureau Technical Paper No. 40,” May 1961 and “NOAA Atlas 2,” 1973 for the 11 Western States, and may be obtained from the National Climatic Center of the Environmental Data Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

(d) The term “mine” shall mean an area of land, surface or underground, actively used for or resulting from the extraction of a mineral from natural deposits.

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(e) The term “process generated waste water” shall mean any waste water used in the slurry transport of mined material, air emissions control, or processing exclusive of mining. The term shall also include any other water which becomes commingled with such waste water in a pit, pond lagoon, mine, or other facility used for settling or treatment of such waste water.

[43 FR 9809, Mar. 10, 1978]

§ 436.182 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

(a) Except as provided in §§125.30 through 125.32, and subject to the provisions of paragraph (b) of this section, any existing point source subject to this subpart shall achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT):

(1) Discharges of process generated waste water and mine dewatering discharges, 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—
TSS	60 mg/l (¹)	30 mg./l. (¹)
pH		

¹ Within the range 6.0 to 9.0.

(b) Any overflow from facilities governed by this subpart shall not be subject to the limitations of paragraph (a) of this section if the facilities are designed, constructed and maintained to contain or treat the volume of waste water which would result from a 10-year 24-hour precipitation event.

[42 FR 35852, July 12, 1977, as amended at 60 FR 33968, June 29, 1995; 60 FR 35796, July 11, 1995]

§§ 436.183–436.184 [Reserved]

§ 436.185 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) of this section, the following

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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 demonstrated control technology.

(1) Discharges of process generated waste water and mine dewatering discharges, 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—
TSS	60 mg/l (¹)	30 mg/l. (¹)
pH		

¹ Within the range 6.0 to 9.0.

(b) Any overflow from facilities governed by this subpart shall not be subject to the limitations of paragraph (a) of this section if the facilities are designed, constructed and maintained to contain or treat the volume of waste water which would result from a 10-year 24-hour precipitation event.

[43 FR 9810, Mar. 10, 1978]

Subpart S—Frasch Sulfur Subcategory

§ 436.190 Applicability; description of the Frasch sulfur subcategory.

The provisions of this subpart are applicable to the processing of sulfur on shore and in marshes and estuaries by the Frasch process. Not covered are sulfur refining operations that are not performed at the mining and collection site.

§ 436.191 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in part 401 of this chapter shall apply to this subpart.

§ 436.192 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

(a) Except as provided in §§125.30 through 125.32, and subject to the provisions of paragraph (b) of this section for operations mining anhydrite deposits, any existing point source subject to this subpart shall achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT): there shall be no discharge of process waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10-year, 24-hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

[40 FR 48657, Oct. 16, 1975, as amended at 60 FR 33968, June 29, 1995; 60 FR 35796, July 11, 1995]

Subpart T—Mineral Pigments Subcategory [Reserved]

Subpart U—Lithium Subcategory [Reserved]

Subpart V—Bentonite Subcategory

§ 436.220 Applicability; description of the bentonite subcategory.

The provisions of this subpart are applicable to the processing of bentonite.

§ 436.221 Specialized definitions.

For the purpose of this subpart: