

**PART 471—NONFERROUS METALS
FORMING AND METAL POWDERS
POINT SOURCE CATEGORY**

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471.103 New source performance standards (NSPS).

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471.106 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT). [Reserved]

AUTHORITY: Secs. 301, 304(b), (c), (e), and (g), 306(b) and (c), 307, 308, and 501 of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972 as amended by the Clean Water Act of 1977) (the "Act"); 33 U.S.C. 1311, 1314(b), (c), (e), and (g), 1316(b) and (c), and 1361; 86 Stat. 816, Pub. L. 92-500; 91 Stat. 1567, Pub. L. 95-217.

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GENERAL PROVISIONS

§ 471.01 Applicability.

(a) This part applies to discharges of pollutants to waters of the United States and introduction of pollutants into a publicly owned treatment works from the forming of nonferrous metals (including nonferrous metal alloys), except beryllium, copper, and aluminum and their alloys. Aluminum alloys are defined as any alloy in which aluminum is the major constituent in percent by weight. Copper alloys are defined as any alloy in which copper is the major constituent in percent by weight except when copper is alloyed with precious metals. Any copper-precious metal alloy containing 30 percent or greater precious metal is considered a precious metal alloy for the purposes of this part. Beryllium alloys are any alloy in which beryllium is present at 0.1 percent or greater. This part applies to:

(1) Forming operations, including rolling (both hot and cold), extruding, forging, drawing, swaging, cladding, and tube reducing, and

(2) Ancillary operations performed as an integral part of the forming of these metals, including casting for subsequent forming, heat treatment, surface treatment, alkaline cleaning, solvent degreasing, product testing, surface coating, sawing, grinding, tumbling, burnishing, and wet air pollution control.

(b) This part also applies to discharges of pollutants to waters of the United States and introduction of pollutants into a publicly owned treatment works from mechanical metal powder production operations, forming of parts from metal powders, and associated ancillary operations (listed in paragraph (a)(2) of this section) of:

(1) Iron, copper, and aluminum, and their alloys; and

(2) The nonferrous metals and their alloys described in paragraph (a) of this section. This part does not regulate the production of metal powders by chemical means such as precipitation. The production of metal powder as the final step in refining metal is regulated under the Nonferrous Metals Manufacturing Point Source Category regulation, 40 CFR part 421.

(c) Surface treatment includes any chemical or electrochemical treatment applied to the surface of the metal. For the purposes of this regulation, surface treatment of metals is considered to be an integral part of the forming of metals whenever it is performed at the same plant site at which the metals are formed. Such surface treatment operations are not regulated under the Electroplating or Metal Finishing Point Source Category regulations, 40 CFR part 413 or 433, respectively.

(d) Casting is covered by this part when it is performed as an integral part of the metal forming process and takes place at the same plant site at which metals are formed. Such casting will not be regulated under the provisions of Metal Molding and Casting Point Source Category regulations, 40 CFR part 464.

(e) This part does not apply to the forming of the metals cadmium, chromium, gallium, germanium, indium, lithium, manganese, neodymium, or praseodymium.

§ 471.02 General definitions.

In addition to the definitions set forth in 40 CFR part 401, the following definitions apply to this part:

(a) "Nonferrous metal" is any pure metal other than iron or any metal alloy for which a metal other than iron is its major constituent in percent by weight.