

**Environmental Protection Agency**

**§ 407.81**

**§ 407.73 [Reserved]**

**§ 407.74 Pretreatment standards for existing sources.**

Any existing source subject to this subpart that introduces process wastewater pollutants into a publicly owned treatment works must comply with 40 CFR part 403. In addition, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by any existing point source subject to the provisions of this subpart.

Pollutant or pollutant property	Pretreatment standard
BOD5 .....	No limitation.
TSS .....	Do.

[41 FR 16281, Apr. 16, 1976, as amended at 60 FR 33939, June 29, 1995]

**§ 407.75 [Reserved]**

**§ 407.76 Pretreatment standards for new sources.**

Any new source subject to this subpart that introduces process wastewater pollutants into a publicly owned treatment works must comply with 40 CFR part 403. In addition, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Pollutant or pollutant property	Pretreatment standard
BOD5 .....	No limitation.
TSS .....	Do.

[41 FR 16281, Apr. 16, 1976, as amended at 60 FR 33939, June 29, 1995]

**§ 407.77 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).**

Except as provided in §§125.30 through 125.32, 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 conventional pollutant control technology (BCT):

ant control technology (BCT): The limitations shall be the same as those specified for conventional pollutants (which are defined in §401.16) in §407.72 of this subpart for the best practicable control technology currently available (BPT).

[51 FR 24997, July 9, 1986]

**Subpart H—Canned and Miscellaneous Specialties Subcategory**

SOURCE: 41 FR 16284, Apr. 16, 1976, unless otherwise noted.

**§ 407.80 Applicability; description of the canned and miscellaneous specialties subcategory.**

The provisions of this subpart are applicable to discharges resulting from the processing of the following specialty products: Added ingredients; baby food; corn, potato, and tortilla chips; ethnic foods; jams and jellies; mayonnaise and dressings; soups; and tomato-starch-cheese canned specialties. When a plant is subject to effluent limitations covering more than one commodity or subcategory, the plant discharge limitations shall be set by proration of limitations for each subcategory or commodity based on the total production covered by each commodity or subcategory.

**§ 407.81 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 *added ingredients* shall mean the prepared sauces (prepared from items such as dairy products, starches, sugar, tomato sauce and concentrate, spices, and other related preprocessed ingredients) which are added during the canning and freezing of fruits and vegetables.

(c) The term *baby foods* shall mean the processing of canned fresh fruits and vegetables, meats, eggs, fruit juices, cereal, formulated entrees, desserts and snacks using fresh, pre-processed, or any combination of these and other food ingredients necessary for the production of infant foods.

(d) The term *chips, potato* shall mean the processing of fried chips, made from fresh or stored white potatoes, all varieties. In terms of finished potato chips, 1 kg (lb) of finished product is equivalent to 4 kg (lb) of raw material.

(e) The term *chips, corn* shall mean the processing of fried corn, made by soaking, rinsing, milling and extruding into a fryer without toasting. In terms of finished corn chips, 1 kg (lb) of finished product is equivalent to 0.9 kg (lb) of raw material.

(f) The term *chips, tortilla* shall mean the processing of fried corn, made by soaking, rinsing, milling, rolling into sheets, toasting and frying. In terms of finished tortilla chips, 1 kg (lb) of finished product is equivalent to 0.9 kg (lb) of raw material.

(g) The term *ethnic foods* shall mean the production of canned and frozen Chinese and Mexican specialties utilizing fresh and pre-processed bean sprouts, bamboo shoots, water chestnuts, celery, cactus, tomatoes, and other similar vegetables necessary for the production of the various characteristic product styles.

(h) The term *jams and jellies* shall include the production of jams, jellies and preserves defined as follows: The combination of fruit and fruit concentrate, sugar, pectin, and other additives in an acidic medium resulting in a gelatinized and thickened finished product.

(i) The term *mayonnaise and salad dressings* shall be defined as the emulsified and non-emulsified semi-solid food prepared from the combining of edible vegetable oil with acidifying, and egg yolk containing ingredients, or gum and starch combinations to which certain colorings, spices, and flavorings have been added.

(j) The term *soups* shall mean the combination of various fresh and pre-processed meats, fish, dairy products, eggs, flours, starches, vegetables, spices, and other similar raw ingredients into a variety of finished mixes and styles but not including dehydrated soups.

(k) The term *tomato-starch-cheese canned specialties* shall mean canned specialties resulting from a combination of fresh and pre-processed tomatoes, starches, cheeses, spices, and

other flavorings necessary to produce a variety of products similar to but not exclusively raviolis, spaghetti, tamales, and enchiladas.

(l) The term *medium* shall mean a point source that processes a total annual raw material production of fruits, vegetables, specialties and other products that is between 1,816 kkg (2,000 tons) per year and 9,080 kkg (10,000 tons) per year.

(m) The term *large* shall mean a point source that processes a total annual raw material production of fruits, vegetables, specialties and other products that exceeds 9,080 kkg (10,000 tons) per year.

(n) The term *annual average* shall mean the maximum allowable discharge of BOD<sub>5</sub> or TSS, as calculated by multiplying the total mass (kkg or 1000 lb) of each final product produced for the entire processing season or calendar year by the applicable annual average limitation.

(o) The terms *maximum for any one day* and *average of daily values for thirty consecutive days* shall be based on the daily average mass of final product produced during the peak thirty consecutive day production period.

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

Except as provided in §§ 125.30 through 125.32, 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):

(a) The following limitations establish the quantity of BOD<sub>5</sub> controlled by this section, which may be discharged by a "medium" or "large" existing point source subject to the provisions of this subpart after application of the best practicable control technology currently available. Any food specialty plant which continuously or intermittently discharges process waste water during the processing season shall meet the annual average, maximum thirty day average, and maximum day BOD<sub>5</sub> limitations. Food specialty