

The following draft rule is a STAFF DRAFT that may be revised without public notice prior to signature. We provide this draft document solely for the convenience of interested parties. This draft is not the official rule for purposes of public comment under the Administrative Procedure Act or for compliance. When this rule is final, a signed official version will be published in the *Federal Register* and appear on the government printing office web site – <http://www.gpoaccess.gov/fr/>.

SOCMI Wastewater NSPS – SUMMARY OF CHANGES SINCE PROPOSAL

On September 12, 1994 (59 FR 46780), the U. S. Environmental Protection Agency (EPA) proposed the new source performance standards for Synthetic Organic Chemical Manufacturing (SOCMI) wastewater (40 CFR part 60, subpart YYY). On October 11, 1995 (60 FR 52889), and December 9, 1998 (63 FR 67988), the EPA published supplements to the proposed NSPS for SOCMI wastewater. The final rule retains the same basic control requirements and technology basis as the original rule and the latest supplement to the proposed rule. However, numerous changes designed to clarify applicability and provide more options for demonstrating compliance with the rule were made as a result of comments received. Major changes include clarifying the applicability provisions and definitions to specify what sources are subject to the standards, revising the modification provisions to provide alternate methods for characterizing changes, clarifying the cross-referencing to provisions of other Federal regulations that regulate wastewater management and treatment units, adding options for compliance demonstrations, consolidating inspection requirements for management and treatment devices, and clarifying provisions of Appendix J. The changes to the rule are itemized below.

1.1.1 Structure and Format of the Rule

- Reorganized Section §60.770 to clarify procedures for determining applicability.
- Replaced large sections of text in Section §60.774 with tables of reference rules and expanded Tables 3 and 5 to Tables 3A and 3B and Tables 5A and 5B to identify options and specify specific sections of referenced rules.
- Deleted Table 2A, reference to Part 63 Subpart A (General Provisions for MACT standards).

1.1.2 Applicability

- Revised §60.770 to clarify requirements for affected facilities that do not generate wastewater.
- Revised the concept of “unknown use” in the context of the primary product determination with language describing if an owner or operator “cannot determine at least 50% of expected annual production”.
- Deleted numerous duplicate compounds from Table 1 of YYY.

- Clarified that startup, shutdown and malfunction (SSM) requirements apply to affected facilities and devices and systems required by subpart YYY.
- Revised the definition of CPU to include control devices and systems.
- Included definitions of “by-product” and “co-product” from the HON.
- Included a definition of “isolated intermediate” and “commodity chemical”..
- Revised the term “oil-water separator” to “separator” in Table 6 for aqueous in-process streams (AIPs).
- Corrected Equations 1, 2, and 4 by adding a term for density.
- Added language to §60.772 (b)(3) that states that if you cannot prove that emissions did not increase from a physical change, then a modification occurred.
- Included 40 CFR Part 63, subpart FFFF as an overlapping subpart in §60.789 (e).

1.1.3 Compliance Requirements

- Expanded the 1 Mg/yr facility-wide exclusion of Group 1 streams from control to 5 Mg/yr per facility and clarified that only Group 1 streams should be included when determining compliance. See § 60.779 (m).
- Allowed an option to demonstrate less than 10% losses from volatilization from open equalization basins, clarifiers, and biological treatment as alternatives to complying with § 60.774 for those open sources.
- Deleted 40 CFR Part 60 Subpart QQQ as a reference rule for Individual Drain Systems per the requirements of § 60.774.
- Revised requirements for individual drain systems and junction boxes to be consistent with the provisions of the MON.
- Clarified that spent activated carbon could be managed and treated as a residual according to the requirements specified in §60.779 (k).

1.1.4 Compliance Demonstration

- Provided a bulk (nonspeciated) method for determining compliance with the 95% Required Mass Removal (RMR) method for biological treatment units.
- Provided a bulk (nonspeciated) method for determining combustion device treatment efficiency.
- Consolidated requirements for developing a stream-specific list of organic wastewater compounds for modification and group determinations.
- Clarified that periodic testing of carbon capacity is an acceptable alternative to carbon replacement based on predetermined intervals.
- Specifically allowed the use of Methods 8260 and 8270 for analysis of organic wastewater compounds.

1.1.5 Recordkeeping and Reporting

- Specified that an affected facility that does not generate process wastewater, maintenance

wastewater, or aqueous in-process streams need only comply with the recordkeeping requirements of §§60.785(b) (record retention provisions) and §60.758(c)(8) (identification of each affected facility [DCPU] that does not generate wastewater).

1.1.6 Miscellaneous

- Clarified Title V permit application requirements for affected sources under this rule.