

**15A NCAC 02B .0406 TECHNOLOGY BASED EFFLUENT LIMITATIONS**

(a) Municipal (POTW) Wastewaters and Other Similar Discharges

- (1) Applicability. This Paragraph is applicable to all municipal wastewater treatment discharges and all discharges consisting primarily of domestic sewage. In addition to the limits contained in this Paragraph, limits applicable to industrial categories contained in Paragraph (b) of this Rule shall be applicable to any municipality if influent waste discharges from industries in any single category account for 10 or more percent of its average daily wastewater flow or the industrial discharges significantly impact the municipal system or its effluent discharge.
- (2) Effluent limitations, except for waste stabilization ponds subject to Subparagraph (3) of this Paragraph, shall include the following:

Effluent Characteristic	SECONDARY		"BPWTT"	
	Monthly Avg.	Weekly Avg. Max.	Avg.	Max.
BOD(5)	30 mg/l	45 mg/l	Reserved	
TSS	30 mg/l	45 mg/l	Reserved	
Fecal Coliform	(Effluent limitations for coliform bacteria and pH shall be imposed only if necessary to maintain compliance with applicable water quality standards.)		Reserved	
pH			Reserved	

- (3) Effluent limitations for waste stabilization ponds shall include the following, provided that:
  - (A) Waste stabilization ponds are the sole process used for secondary treatment;
  - (B) The maximum facility design capacity is two million gallons per day or less; and
  - (C) Operation and maintenance data indicate that the requirements for TSS of Subparagraph (2) of this Paragraph cannot be achieved.

Effluent Characteristic	SECONDARY		"BPWTT"	
	Monthly Avg.	Weekly Avg. Max.	Avg.	Max.
BOD(5)	30 mg/L	45 mg/L	Reserved	
TSS	90 mg/L	135 mg/L	Reserved	
Fecal Coliform	(Effluent limitations for coliform bacteria and pH shall be imposed only if necessary to maintain compliance with applicable water quality standards.)		Reserved	
pH			Reserved	

(b) Industrial Waste Discharges.

- (1) Applicability. This Paragraph is applicable to industrial wastewater treatment discharges.
- (2) Effluent limits for industrial waste discharges are set forth in regulations promulgated by the Environmental Protection Agency, including those in 40 CFR Chapter I, Subpart N – Effluent Guidelines and Standards, which are hereby incorporated by reference, including any subsequent amendments and editions. These regulations can be accessed free of charge at <http://www.gpo.gov/fdsys/>.

- 40 CFR Part 129 -- EPA Toxic Pollutant Effluent Standards
- 40 CFR Part 401 -- EPA General Provisions for Effluent Guidelines and Standards
- 40 CFR Part 405 -- EPA Effluent Guidelines and Standards for Dairy Products
- 40 CFR Part 406 -- EPA Effluent Guidelines and Standards for Grain Mills
- 40 CFR Part 407 -- EPA Effluent Guidelines and Standards for Canned and Preserved Fruits and Vegetables
- 40 CFR Part 408 -- EPA Effluent Guidelines and Standards for Canned and Preserved Seafood
- 40 CFR Part 409 -- EPA Effluent Guidelines and Standards for Sugar Processing
- 40 CFR Part 410 -- EPA Effluent Guidelines and Standards for Textiles
- 40 CFR Part 411 -- EPA Cement Manufacturing Effluent Guidelines and Standards

40 CFR Part 412 -- EPA Effluent Guidelines and Standards for Concentrated Animal Feeding Operations (CAFO)

40 CFR Part 413 -- EPA Effluent Guidelines and Standards for Electroplating

40 CFR Part 414 -- EPA Effluent Guidelines and Standards for Organic Chemicals

40 CFR Part 415 -- EPA Effluent Guidelines and Standards for Inorganic Chemicals

40 CFR Part 417 -- EPA Effluent Guidelines and Standards for Soaps and Detergents

40 CFR Part 418 -- EPA Effluent Guidelines and Standards for Fertilizer Manufacturing

40 CFR Part 419 -- EPA Effluent Guidelines and Standards for Petroleum Refining

40 CFR Part 420 -- EPA Effluent Guidelines and Standards for Iron and Steel Manufacturing

40 CFR Part 421 -- EPA Effluent Guidelines and Standards for Nonferrous Metals

40 CFR Part 422 -- EPA Phosphate Manufacturing Effluent Guidelines and Standards

40 CFR Part 423 -- EPA Effluent Guidelines and Standards for Steam Electric Power Generating

40 CFR Part 424 -- EPA Effluent Guidelines for Ferroalloy Manufacturing

40 CFR Part 425 -- EPA Effluent Guidelines and Standards for Leather Tanning and Finishing

40 CFR Part 426 -- EPA Effluent Guidelines and Standards for Glass Manufacturing

40 CFR Part 427 -- EPA Effluent Guidelines and Standards for Asbestos Manufacturing

40 CFR Part 428 -- EPA Effluent Guidelines for Rubber Processing

40 CFR Part 429 -- EPA Effluent Guidelines and Standards for Timber Products

40 CFR Part 430 -- EPA Effluent Guidelines and Standards for Pulp, Paper, and Paper Board

40 CFR Part 432 -- EPA Effluent Guidelines and Standards for Meat Products

40 CFR Part 433 -- EPA Effluent Guidelines and Standards for Metal Finishing

40 CFR Part 434 -- EPA Effluent Guidelines and Standards for Coal Mining

40 CFR Part 435 -- EPA Effluent Guidelines and Standards for Offshore Oil and Gas Extraction

40 CFR Part 436 -- EPA Effluent Guidelines and Standards for Mineral Mining and Processing

40 CFR Part 437 -- EPA Effluent Guidelines and Standards for Centralized Waste Treatment

40 CFR Part 438 -- EPA Effluent Guidelines and Standards for Metals Products and Machinery

40 CFR Part 439 -- EPA Effluent Guidelines and Standards for Pharmaceutical Manufacturing

40 CFR Part 440 -- EPA Effluent Guidelines and Standards for Ore Mining and Dressing

40 CFR Part 441 -- EPA Effluent Limitations Guidelines and Standards for the Dental Category

40 CFR Part 442 -- EPA Effluent Guidelines and Standards for Transportation Equipment Cleaning

40 CFR Part 443 -- EPA Effluent Guidelines and Standards for Paving and Roofing Materials

40 CFR Part 444 -- EPA Effluent Guidelines and Standards for Waste Combustors

40 CFR Part 445 -- EPA Effluent Guidelines and Standards for Landfills

40 CFR Part 446 -- EPA Effluent Guidelines and Standards for Paint Formulating

40 CFR Part 447 -- EPA Effluent Guidelines and Standards for Ink Formulating

40 CFR Part 449 -- EPA Effluent Guidelines and Standards for Airport Deicing

40 CFR Part 450 -- EPA Effluent Guidelines and Standards for Construction and Development

40 CFR Part 451 -- EPA Effluent Guidelines and Standards for Concentrated Aquatic Animal Production (Aquaculture)

40 CFR Part 454 -- EPA Effluent Guidelines and Standards for Gum and Wood Chemicals Manufacturing

40 CFR Part 455 -- EPA Effluent Guidelines for Pesticide Chemicals Manufacturing

40 CFR Part 457 -- EPA Effluent Guidelines and Standards for Explosives Manufacturing

40 CFR Part 458 -- EPA Effluent Guidelines and Standards for Carbon Black Manufacturing

40 CFR Part 459 -- EPA Effluent Guidelines and Standards for Photographic Processing

40 CFR Part 460 -- EPA Effluent Guidelines and Standards for Hospitals

40 CFR Part 461 -- EPA Effluent Guidelines and Standards for Battery Manufacturing

40 CFR Part 463 -- EPA Effluent Guidelines and Standards for Plastic Molding and Forming

40 CFR Part 464 -- EPA Effluent Guidelines and Standards for Metal Molding and Casting (Foundries)

40 CFR Part 465 -- EPA Effluent Guidelines and Standards for Coil Coating

40 CFR Part 466 -- EPA Effluent Guidelines and Standards for Porcelain Enameling

40 CFR Part 467 -- EPA Effluent Guidelines and Standards for Aluminum Forming

40 CFR Part 468 -- EPA Effluent Guidelines and Standards for Copper Forming

40 CFR Part 469 -- EPA Effluent Guidelines and Standards for Electrical and Electronic Components

40 CFR Part 471 -- EPA Effluent Guidelines and Standards for Nonferrous Metals Forming and Metal Powders

- (3) For industrial categories or parts of categories for which effluent limits and guidelines have not been published and adopted, effluent limitations for existing industrial waste discharges, or new industrial waste discharges shall be calculated by the staff using the projected limits of the Environmental Protection Agency, the Environmental Protection Agency development document, and other available information in order to achieve the purposes of Article 21.
- (4) On a case-by-case basis, if the staff determines, based on its professional judgment and applicable State and Federal guidelines, Rules, and laws, that effluent limits established by Subparagraph (b)(2) of this Paragraph are not adequate to control settleable solids, the staff shall establish effluent limits for settleable solids. Such effluent limitations for settleable solids shall be applicable only when the projected average solids concentration exceeds 5.0 ml/l and the limitations established shall lie within the range of 0.1 ml/l to 5.0 ml/l.

*History Note:* Authority G.S. 143-215; 143 215.1; 143-215.3(a)(1), (4);  
Eff. February 1, 1976;  
Amended Eff. July 1, 1988; December 1, 1984; November 1, 1978; December 1, 1976;  
Readopted Eff. May 1, 2020.